

The Correspondence and Briefings Unit's Search Results for A-2017-13621

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All documents (both paper and electronic) sent to, or received from the Minister of Public Safety (or his office), related to the issue of impaired drivers, or drivers under the influence of alcohol crossing the border. The time period of this request is November 5, 2015 to July 8, 2017.

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The Correspondence and Briefings Unit (CBU) has found fourteen (14) potential records that may be relevant to the above request.

1. CBSA/ASFC-15-00449/GDL-000572 – Minister of Justice forwards correspondence on behalf of [redacted] who writes regarding entry into Canada.
Originator – Programs Branch
Document – Letter
Classification – Unclassified
Intended For – Minister
2. CBSA/ASFC-16-00574/GDL-005354 - M.P. Robert D. Nault writes on behalf of [redacted] re: a process to inform all American travellers of the expectations surrounding criminal charges before they reach the border.
Originator – Programs, Operations and Corporate Affairs Branches
Document – Letter
Classification – Unclassified
Intended For – Minister
3. CBSA/ASFC-16-00629/GDL-005610 - IRCC referral. [redacted] writes regarding his experience at Vancouver International Airport, and past DUI.
Originator – Operations Branch
Document – Letter
Classification – Unclassified
Intended For – Minister
4. CBSA/ASFC-16-00691/GDL-005913 - [redacted] writes re: an American friend denied entry into Canada due to drunk driving convictions-DUI.
Originator – Programs Branch
Document – Letter
Classification – Unclassified
Intended For – Minister
5. CBSA/ASFC-16-01029/GDL-008446 - [redacted] writes further regarding an American friend denied entry into Canada due to drunk driving convictions-DUI.
Originator – Operations Branch
Document – Letter

Classification – Unclassified

Intended For – Minister

6. CBSA/ASFC-17-00096/GDL-009256 - PMO referral. [redacted] writes regarding being turned away at the border due to an impaired driving charge in 1985. Insufficient information to confirm identity, general paragraphs provided.
Originator – Operations Branch
Document – Letter
Classification – Unclassified
Intended For – Minister
7. CBSA/ASFC-17-00429/GDL-011355 - [redacted] follows-up on: [redacted] inadmissibility into Canada due to DUI, and the presentation of a temporary resident permit (TRP) form at a port of entry.
Originator – Operations Branch
Document – Letter
Classification – Unclassified
Intended For – Minister
8. CBSA/ASFC-17-00629/GDL-012438 - PMO referral. [redacted] writes regarding Canadian entry requirements and her inadmissibility.
Originator – Programs Branch
Document – Letter
Classification – Unclassified
Intended For – Minister
9. CBSA/ASFC-16-00955/GDL-007732 – [redacted] and family were denied entry into Canada due to the DUI of a family friend.
Originator – Programs and Corporate Affairs Branches
Document – Letter
Classification – Unclassified
Intended For – Minister
10. CBSA/ASFC-17-00219/GDL-010022 - PMO forwards correspondence from [redacted] regarding the inadmissibility of her son-in-law to Canada.
Originator – Programs Branch
Document – Letter
Classification – Unclassified
Intended For – Minister
11. CBSA/ASFC-17-00250/GDL-010092 - PMO referral. [redacted] pleads guilty to DUI, and requests a pardon to his deportation order, and to be allowed to continue his education at the University of Manitoba
Originator – Not applicable – Info Only
Document – Letter
Classification – Unclassified

Intended For – Minister

12. CBSA/ASFC-17-00497/GDL-008479 - requests cancellation of her husband's removal order (due to a DUI in 2013), stating that he has not committed any crimes since, and that they have a daughter.

Originator – Not applicable – Info Only

Document – Letter

Classification – Unclassified

Intended For – Minister

13. CBSA/ASFC-17-00682/GDL-012437 - Anonymous request to relax the entry into Canada of DUI first time offenders.

Originator – Not applicable – Info Only

Document – Letter

Classification – Unclassified

Intended For – Minister

14. CBSA/ASFC-17-00380/GDL-011067 - M.P. Hon. Candice Bergen writes concerning a policy reversal between CBSA and local RCMP detachments involving impaired drivers. CRR with CBSA lead and RCMP input.

Originator – Programs Branch

Document – Letter

Classification – Unclassified

Intended For – Minister

From: Ministerial Correspondence Unit - Mailout
To: Public Safety MCU / Sécurité publique UCM (PS/SP)
Subject: Correspondence on behalf of the Minister of Justice and Attorney General of Canada
Date: Thursday, December 03, 2015 3:26:48 PM
Attachments: 15-013329 Incoming(1).pdf
15-013329 outgoing_email(1).msg

The attached correspondence addressed to the Minister of Justice and Attorney General of Canada is forwarded to your office for action or information as appropriate.

La correspondance ci-jointe adressée au ministre de la Justice et procureur général du Canada vous est transmise pour suite à donner ou pour information.

DOC GDL-000572
OPI/BPR CBSA
D.D./D.E. 1/6/2016
ACTION REPLY
FILE ## DOSSIER 8000-1 UNC

MCU / UCM
Ministerial Correspondence Unit / Unité de la correspondance ministérielle
Routing Slip / Feuille de contrôle

Document Date / Date du document: 2015-11-17
Date of Receipt / Reçu le: 2015-11-17

MCU # / # UCM: 2015-013329

Author / Mr. /
Auteur:

Doc Type / Type de Doc: R

Subject / Sujet: 271712
Public Safety and Emergency Preparedness - Canada Border
Services Agency

Due Date / Date d'échéance: 2016-01-05

Sector's Due Date / Date d'échéance du secteur:

Assigned To / Assigné à: MCUED2

Assigned Date / Assigné le: 2015-11-19

FOR MCU USE
FOR SIGNATURE OF / POUR LA SIGNATURE DE:

- ☐ Minister / Ministre
- ☐ Minister's Chief of Staff or Assistant / Chef de cabinet ou
Adjoint du ministre
- ☐ MCU Manager / Gestionnaire de l'UCM
- ☐ Other (pls indicate) / Autre (veuillez préciser)
- _____

POUR L'USAGE DE L'UCM
INSTRUCTIONS / DIRECTIVES:

- ☐ By email / par courriel
- ☐ By letter / par lettre
- ☐ Enclosure(s) / pièce(s) jointe(s)
- ☐ Courtesy copy (c.c.) / copie conforme (c.c.)
- ☐ Standard reply / lettre type
- ☐ Modified standard reply / lettre type modifiée
- ☐ Based on letter / Basée sur la lettre _____
signed on / signée le _____

Comments / Remarques:

INSTRUCTIONS

- D: ☐ Draft response / Faire un projet de réponse
- A: ☐ Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir
remarques)
- F: ☐ Action at your discretion / Donner suite à votre discrétion
- ☐ Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir
remarques)
- I: ☐ For your information (no action required) / À titre d'information (aucune mesure requise)

CC:	CC:	CC:	CC:
CC:	CC:	CC:	CC:
CC:	CC:	CC:	

Closed / Fermé:

File Away / Classé:

Ministerial Correspondence Unit - Justice Canada

N.F.
R15-612324
MCUED2

From:
Sent: 2015-Nov-17 10:29 PM
To: Ministerial Correspondence Unit - Justice Canada
Subject: Entrance into Canada

271712

Dear Minister,

I am at the beginning phases of planning a vacation to Seattle/Victoria BC

I was charged with a DWI. It was ultimately pled down to a DWAI, which is a traffic citation in the State of New York. I have completed all task (court costs, drug and alcohol assessment, license suspension) within 30 days of my court date.

Can I enter Canada without being turned away?

Thanks

To: Public Safety MCU / Sécurité publique UCM (PS/SP)[ps.publicsafetymcu-securitepubliqueucm.sp@canada.ca]
Sent: Thur 12/3/2015 8:25:36 PM
From: Ministerial Correspondence Unit - Mailout
Subject: Correspondence on behalf of the Minister of Justice and Attorney General of Canada

15-013329 Incoming(1).pdf
15-013329 outgoing email(1).msg

From: Ministerial Correspondence Unit - Mailout Sent: 12/3/2015 3:25:36 PM

The attached correspondence addressed to the Minister of Justice and Attorney General of Canada is forwarded to your office for action or information as appropriate.

La correspondance ci-jointe adressée au ministre de la Justice et procureur général du Canada vous est transmise pour suite à donner ou pour information.

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL-000572 / GREEN /

X REF. #

CBSA-ASFC # 2015-00449

SECURITY:

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : January 6, 2016

SUBJECT / OBJET : Minister of Justice forwards correspondence on behalf of who writes
regarding entry into Canada with a DWI which was later dropped to a DWAI
which is a traffic situation in New York

ISSUE / QUESTION: Driving under the Influence / Admissibility

CBSA BRANCH DISTRIBUTION / ACTION:

- ☐ Operations / Opérations
- x ☒ Programs / Programmes
- ☐ Technology / Technologie
- ☐ Human Resources / Ressources humaines
- ☐ Comptrollership / Contrôle
- ☐ Corporate Affairs / Services corporatifs

TASK

- x ☒ Input / fournir des renseignements
- ☐ Information Only / à titre d'information seulement
- ☐ Information and Action / Pour votre suivi

Comments / Commentaires

Dec 3/15 Date Rec'd at MCU/PS
Dec 4/15 Date Rec'd at MINCOR/CBSA
Dec 4/15 Date Assessed ST
Dec 8/15 Date Entered in ccm DB

To: CBSA-ASFC_Programs_MinCor-CorrMin[MinCor-CorrMin_prog@cbsa-asfc.gc.ca]
Sent: Tue 12/22/2015 3:48:52 PM
From: CBSA-ASFC_Programs_MinCor-CorrMin
Flag Status: 0x00000000
Subject: 2015-00449 Input PRO

From: CBSA-ASFC_Programs_MinCor-CorrMin Sent: 2015/12/22 10:48:52 AM

Please see below approved response to close this tasking. Approved by Traveller Programs A/DG Sébastien Aubertin-Giguère.

Response:

The Immigration and Refugee Protection Act (IRPA) requires every person seeking entry to Canada answer truthfully all questions put to him/her for the purpose of determining whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada. An examination takes place each time a person seeks entry to Canada, regardless of previous admissibility decisions. Entry is determined on a case by case basis by the examining officer.

All foreign nationals seeking entry into Canada must meet the requirements of IRPA. Under the Act, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a "driving under the influence" (DUI) charge is considered a serious offence under the Criminal Code, and, if the accused is found guilty by way of indictment (similar to a felony in the US), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

There are two means by which criminal inadmissibility may be overcome: deemed rehabilitation and individual rehabilitation. In the instance of inadmissibility for an indictable Criminal Code offence punishable by imprisonment for a term not exceeding five years or a Criminal Code offence punishable on summary conviction, the person may be eligible for deemed rehabilitation if a period of at least 10 years has elapsed and the individual has no other convictions. Deemed rehabilitation is a fact of law whereby the appropriate time has elapsed, and it will be assessed by a Canada Border Services Agency border services officer when an individual seeks entry into Canada.

Individuals who are ineligible for deemed rehabilitation can apply for individual rehabilitation if the prescribed period of at least five years has passed since the completion of the sentence imposed or the payment of any fine. An application for individual rehabilitation and a processing fee must be submitted to the nearest Canadian visa office, and a decision must be rendered. For more information related to overcoming criminal inadmissibility, please visit Immigration, Refugees and Citizenship Canada's website at <http://www.cic.gc.ca/english/information/inadmissibility/conviction.asp>

It is recommended that you contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about your admissibility to Canada. Depending on the crime, how long ago it was and whether you have had other criminal charges since, you may still be allowed to come to Canada.

If you believe you may be inadmissible for having been convicted of a crime in or outside of Canada, you can apply to Immigration, Refugees and Citizenship Canada in advance for a temporary resident permit (TRP). If justified by compelling circumstances, foreign nationals who are inadmissible to Canada, including individuals who have a criminal conviction, may be issued a TRP that allows them to enter Canada. The decision is made on a case by case basis by a border services officer, who may take into consideration factors that make the person's presence in Canada necessary (e.g. family ties, job, qualifications, economic contribution, and temporary attendance at an event). Information on TRPs is available at [HYPERLINK](http://www.cic.gc.ca/english/information/inadmissibility/permits.asp)

"<http://www.cic.gc.ca/english/information/inadmissibility/permits.asp>"

www.cic.gc.ca/english/information/inadmissibility/permits.asp.

Before arriving at a port of entry, it is strongly recommended that individuals contact the closest Canadian Embassy, Mission, or High Commission in their own country to see if they qualify for a TRP. A list of office locations is available at [HYPERLINK](http://www.cic.gc.ca/english/information/offices/missions.asp)

"<http://www.cic.gc.ca/english/information/offices/missions.asp>" www.cic.gc.ca/english/information/offices/missions.asp.

Mr.

Dear Mr.

The office of my colleague, the Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, forwarded to me on December 3, 2015, your correspondence concerning your admissibility into Canada.

The *Immigration and Refugee Protection Act* (IRPA) requires every person seeking to enter Canada to answer truthfully all questions put to him/her for the purpose of determining whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada. An examination takes place each time a person seeks entry into Canada, regardless of previous admissibility decisions. Entry is determined on a case-by-case basis by the examining officer.

All foreign nationals seeking entry into Canada must meet the requirements of IRPA. Under the Act, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a "driving under the influence" (DUI) charge is considered a serious offence under the *Criminal Code* (CC), and, if the accused is found guilty by way of indictment, a DUI is punishable by a maximum term of imprisonment not exceeding five years.

There are two means by which criminal inadmissibility may be overcome: deemed rehabilitation and individual rehabilitation. A person may be eligible for deemed rehabilitation if a period of at least 10 years has elapsed since the completion of the sentence and the individual has no other convictions. Deemed rehabilitation will be assessed by a Canada Border Services Agency border services officer (BSO) when an individual seeks entry into Canada.

Individuals who are ineligible for deemed rehabilitation can apply for individual rehabilitation if the prescribed period of at least five years has passed since the completion of the sentence. Individual rehabilitation requires that an application be submitted with a processing fee to the nearest Canadian visa office and that a decision be rendered.

- 2 -

Additional information is available on the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp**.

If justified by compelling circumstances, foreign nationals who are inadmissible to Canada, including individuals who have a criminal conviction, may be issued a temporary resident permit (TRP) that allows them to enter Canada. The decision is made on a case-by-case basis by the BSO, who may take into consideration factors that make the person's presence in Canada necessary (e.g. family ties, job, qualifications, economic contribution, and temporary attendance at an event). Information on TRPs is available at **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Before arriving at a port of entry, it is strongly recommended that individuals who may be inadmissible contact the Canadian mission nearest to them to determine if they qualify for a TRP. A list of office locations and the areas they serve is available at **www.cic.gc.ca/english/information/offices/missions.asp**.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: January 7, 2016 01:15 PM
To: CBSA-ASFC_Programs_MinCor-CorrMin
Subject: 2015-00449 DG / AVP approval
Attachments: Goto Record 33393 in database 1.ccm

From: Salois, Denis Sent: 2016/01/07 01:14:33 PM

ccmMercury Notification / Avis ccmMercury

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You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-15-00449.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> APPROVE ---> Notes: DG / AVP approval ---> Deadline/Date limite: 2016/01/11

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2015-00449
PSC: GDL-000572

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À: The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning his admissibility into Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for approval) Peter Hill	Associate Vice-President, Programs Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 14th Floor

000016

N-F
R15-01324
MCUE02

27712

Ministerial Correspondence Unit - Justice Canada

From:
Sent: 2015-Nov-17 10:29 PM
To: Ministerial Correspondence Unit - Justice Canada
Subject: Entrance into Canada

Dear Minister,

I am at the beginning phases of planning a vacation to Seattle/Victoria BC

I was charged with a DWI. It was ultimately pled down to a DWAI, which is a traffic citation in the State of New York. I have completed all task (court costs, drug and alcohol assessment, license suspension) within 30 days of my court date.

Can I enter Canada without being turned away?

Thanks



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2015-00449
PSC: GDL-000572

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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Karen J. Mayer</u> Nina Eggen	Manager, Correspondence, Briefings and Invitations Unit	Jan. 7/16
(for approval) <u>Peter Hill</u>	Associate Vice-President, Programs Branch	8/1/16.

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 14th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2015-00449
PSC: GDL-000572

**AGENCY FICHE
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To - À : The Honourable Ralph Goodale

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Other / Autre ☒

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(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for approval) Peter Hill	Associate Vice-President, Programs Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 14th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Dear Mr.

The office of my colleague, the Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, forwarded to me on December 3, 2015, your correspondence concerning your admissibility into Canada.

The *Immigration and Refugee Protection Act* (IRPA) requires every person seeking to enter Canada to answer truthfully all questions put to him/her for the purpose of determining whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada. An examination takes place each time a person seeks entry into Canada, regardless of previous admissibility decisions. Entry is determined on a case-by-case basis by the examining officer.

All foreign nationals seeking entry into Canada must meet the requirements of IRPA. Under the Act, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a "driving under the influence" (DUI) charge is considered a serious offence under the *Criminal Code* (CC), and, if the accused is found guilty by way of indictment, a DUI is punishable by a maximum term of imprisonment not exceeding five years.

There are two means by which criminal inadmissibility may be overcome: deemed rehabilitation and individual rehabilitation. A person may be eligible for deemed rehabilitation if a period of at least 10 years has elapsed since the completion of the sentence and the individual has no other convictions. Deemed rehabilitation will be assessed by a Canada Border Services Agency border services officer (BSO) when an individual seeks entry into Canada.

Individuals who are ineligible for deemed rehabilitation can apply for individual rehabilitation if the prescribed period of at least five years has passed since the completion of the sentence. Individual rehabilitation requires that an application be submitted with a processing fee to the nearest Canadian visa office and that a decision be rendered.

Canada

- 2 -

Additional information is available on the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp**.

If justified by compelling circumstances, foreign nationals who are inadmissible to Canada, including individuals who have a criminal conviction, may be issued a temporary resident permit (TRP) that allows them to enter Canada. The decision is made on a case-by-case basis by the BSO, who may take into consideration factors that make the person's presence in Canada necessary (e.g. family ties, job, qualifications, economic contribution, and temporary attendance at an event). Information on TRPs is available at **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Before arriving at a port of entry, it is strongly recommended that individuals who may be inadmissible contact the Canadian mission nearest to them to determine if they qualify for a TRP. A list of office locations and the areas they serve is available at **www.cic.gc.ca/english/information/offices/missions.asp**.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: January 11, 2016 11:08 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2015-00449 PO approval
Attachments: Goto Record 33393 in database 1.ccm

From: Salois, Denis Sent: 2016/01/11 11:07:45 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-15-00449.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: For PO approval ---> Deadline/Date limite: 2016/01/11

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2015-00449
PSC: GDL-000572

AGENCY APPROVAL FORM
FICHE D'APPROBATION POUR LES ORGANISMES

2015-01-11 11:00

To - À: The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning his admissibility into Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) CB	President's Office	11-01-16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 14th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2015-00449
PSC: GDL-000572

**AGENCY FICHE
APPROVAL D'APPROBATION
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ORGANISMES**

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Other / Autre

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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Karen J Mayer</u> Nina Egoen	Manager, Correspondence, Briefings and Invitations Unit	Jan. 7/16
(for approval) <u>Peter Hill</u>	Associate Vice-President, Programs Branch	8/1/16.

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 14th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2015-00449
PSC: GDL-000572

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

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(for approval) Peter Hill	Associate Vice-President, Programs Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 14th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

APR 08 2016

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Canada

- 2 -

Additional information is available on the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp**.

If justified by compelling circumstances, foreign nationals who are inadmissible to Canada, including individuals who have a criminal conviction, may be issued a temporary resident permit (TRP) that allows them to enter Canada. The decision is made on a case-by-case basis by the BSO, who may take into consideration factors that make the person's presence in Canada necessary (e.g. family ties, job, qualifications, economic contribution, and temporary attendance at an event). Information on TRPs is available at **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Before arriving at a port of entry, it is strongly recommended that individuals who may be inadmissible contact the Canadian mission nearest to them to determine if they qualify for a TRP. A list of office locations and the areas they serve is available at **www.cic.gc.ca/english/information/offices/missions.asp**.

Thank you for writing.

Yours sincerely,



The Honourable Ralph Goodale, P.C., M.P.

Ottawa

Room 230, Confederation Bldg
House of Commons
Ottawa, Ontario
K1A 0A6
Tel.: 613-996-1161
Fax.: 613-996-1759

Dryden

PACE Office
Unit 2 - 66 Keith Avenue
Dryden, Ontario
P8N 3K8
Tel.: 807-407-4758

Hon. Ralph Goodale
House of Commons
Ottawa, ON
K1A 0A9

July 5, 2016

Hon. Robert D. Nault
House of Commons
Ottawa, ON
K1A 0A9

Dear Minister Goodale,

I am writing you on behalf of

Just recently, Mr. [redacted] had an American customer and his son, who had driven for 3 days, turned away at the Canadian border because the son had a DUI that was more than 5 years old.

This is not the first time this has happened to Mr. [redacted] but it is an occurrence that hunting and northern Ontario fishing lodges are too familiar with, and it is a historic problem in border towns across Canada. It is a severe deterrent for many businesses, and tourism outfitters in particular, are losing substantial amounts of money.

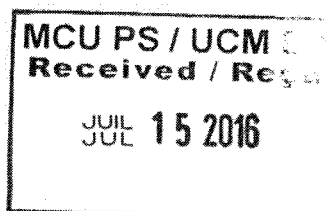
I do not mean to diminish the severity of driving under the influence, nor the severity of a DUI charge. I am not suggesting that we need to change the law, rather we need to re-examine our approach to this process at our borders. The decision to allow or deny a person with a DUI charge into Canada is left to the discretion of the CBSA agent – a procedure which breeds inconsistency and begs for clarity.

We need to develop a process to inform all American travelers of the expectations surrounding criminal charges *before* they reach the border. There needs to be an information campaign available so that tourism outfitters can consult with their customers on how to clear their record in advance of their travel.

bob.nault@parl.gc.ca
Toll-Free: 1-866-710-0008



Hon. Robert D. Nault, P.C.
Member of Parliament
Kenora Riding



DOC.	801005354
OP/BPR	CBSA
D.D./D.E.	7/29/16
ACTION	Reply
FILE #/DOSSIER	8000-1
	DMO

Kenora

Bannister Centre
Suite 202 - 301 First Avenue S.
Kenora, Ontario
P9N 1T4
Tel.: 807-468-2170
Fax.: 807-468-4896

Sioux Lookout

Centennial Building
Suite 1A - 54 Front Street
Sioux Lookout, Ontario
P8T 1A1
Tel.: 807-737-4934

Ottawa

Room 230, Confederation Bldg
House of Commons
Ottawa, Ontario
K1A 0A6
Tel.: 613-996-1161
Fax.: 613-996-1759



Hon. Robert D. Nault, P.C.
Member of Parliament
Kenora Riding

Dryden

PACE Office
Unit 2 - 66 Keith Avenue
Dryden, Ontario
P8N 3K8
Tel.: 807-407-4758

Kenora

Bannister Centre
Suite 202 - 301 First Avenue S.
Kenora, Ontario
P9N 1T4
Tel.: 807-468-2170
Fax.: 807-468-4896

Sioux Lookout

Centennial Building
Suite 1A - 54 Front Street
Sioux Lookout, Ontario
P8T 1A1
Tel.: 807-737-4934

By implementing a regulated process, we ensure that both travelers and tourism operators are aware of the applicable laws well in advance of their travel. This would reduce frustration and ensure that no money is lost and. Furthermore, it would reduce problematic border crossings.

If you have any questions or concerns, please contact my office by phone at (613) 996-1161, or by email at bob.nault@parl.gc.ca.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Robert D. Nault'.

The Honourable Robert D. Nault, P.C.
Member of Parliament for the Kenora riding

cc:

bob.nault@parl.gc.ca
Toll-Free: 1-866-710-0008

000035

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # **GDL-005354 / BLUE / Robert D. Nault /**

X REF. #

CBSA-ASFC # 2016-00574

SECURITY:

**MINISTER'S OFFICE DUE DATE /
DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE :**

July 29, 2016

SUBJECT / OBJET: **M.P. Robert D. Nault writes on behalf of** **regarding a process to inform**
all American travelers of the expectations surrounding criminal charges before they
reach the border.

ISSUE / QUESTION: **Driving Under the Influence/Admissibility**

CBSA BRANCH DISTRIBUTION / ACTION:

- ☐ Operations / Opérations
- ☒ Programs / Programmes
- ☐ Technology / Technologie
- ☐ Human Resources / Ressources humaines
- ☐ Comptrollership / Contrôle
- ☐ Corporate Affairs / Services corporatifs (MinCor)

TASK

- ☒ Input / fournir des renseignements
- ☐ Information Only / à titre d'information seulement
- ☐ Information and Action / Pour votre suivi

Comments / Commentaires

Please let us know within 24 hours if this should be tasked to another branch for input

July 15/16 Date Rec'd at MCU/PS

July 15/16 Date Rec'd at MINCOR/CBSA

July 15/16 Date Assessed 51

July 15/16 Date Entered in ccm DS

Kelly, Sharon

From: Salois, Denis
Sent: July 15, 2016 02:54 PM
To: Charron, Stephanie; Carbonneau, Alex; Fifield, William
Subject: 2016-00574 Input
Attachments: Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/07/15 02:54:03 PM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BPRO-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2016/07/20

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Morrison, Robert
Sent: July 20, 2016 04:19 PM
To: Carboneau, Alex
Cc: Fifield, William; Charron, Stephanie; Vigliotti, Maria; MacLeod, Lindsey; Gosselin, Sonia
Subject: FW: CBSA/ASFC-16-00574.
Attachments: Incoming - GDL005354(1).PDF

Importance: High

From: Morrison, Robert Sent: 2016-07-20 04:19:05 PM
Good afternoon,

Please find the DG approved response below:

All foreign nationals seeking entry into Canada must meet the requirements of the Immigration Refugee Protection Act. Under the Act, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a "driving under the influence" (DUI) charge is considered a serious offence under the Criminal Code, and, if the accused is found guilty by way of indictment (similar to a felony in the US), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

There are two means by which criminal inadmissibility may be overcome: deemed rehabilitation and individual rehabilitation. In the instance of inadmissibility for an indictable Criminal Code offence punishable by imprisonment for a term not exceeding five years or a Criminal Code offence punishable on summary conviction, the person may be eligible for deemed rehabilitation if a period of at least 10 years has elapsed and the individual has no other convictions. Deemed rehabilitation is a fact of law whereby the appropriate time has elapsed, and it will be assessed by a border services officer when an individual seeks entry into Canada.

Individuals who are ineligible for deemed rehabilitation can apply for individual rehabilitation if the prescribed period of at least five years has passed since the completion of the sentence imposed or the payment of any fine. An application for individual rehabilitation and a processing fee must be submitted to the nearest Canadian visa office, and a decision must be rendered. For more information related to overcoming criminal inadmissibility, please visit Immigration, Refugees and Citizenship Canada's website at <http://www.cic.gc.ca/english/information/inadmissibility/conviction.asp>

An individual may contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about his/her admissibility to Canada. Depending on the crime, how long ago it was and whether he/she has had other criminal charges since, you may still be allowed to come to Canada.

If an individual believes he/she may be inadmissible for having been convicted of a crime in or outside of Canada, he/she can apply to Immigration, Refugees and Citizenship Canada in advance for a temporary resident permit (TRP). If justified by compelling circumstances, foreign nationals who are inadmissible to Canada, including individuals who have a criminal conviction, may be issued a TRP that allows them to enter Canada. The decision is made on a case by case basis by a border services officer, who may take into consideration factors that make the person's presence in Canada necessary (e.g. family ties, job, qualifications, economic contribution, and temporary attendance at an event). Information on TRPs is available at HYPERLINK

"<http://www.cic.gc.ca/english/information/inadmissibility/permits.asp>"www.cic.gc.ca/english/information/inadmissibility/permits.asp.

Before arriving at a port of entry travellers can contact the Canadian Embassy, Mission, or High Commission in their own country to see if they qualify for a TRP. A list of office locations is available at HYPERLINK

"<http://www.cic.gc.ca/english/information/offices/missions.asp>"www.cic.gc.ca/english/information/offices/missions.asp

Thank you,

Robert Morrison

Administrative Assistant, Director General Office, Traveller Programs Directorate, Programs Branch

Canada Border Services Agency

HYPERLINK "<mailto:Robert.Morrison@cbsa-asfc.gc.ca>"Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 / TTY: 866-335-3237

Adjoint administratif, Bureau de la Directrice Générale, Direction du programme des voyageurs, Direction générale des programmes

Agence des services frontaliers du Canada

HYPERLINK "<mailto:Robert.Morrison@cbsa-asfc.gc.ca>"Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 / TTY: 866-335-3237

From: Carbonneau, Alex
Sent: July 15, 2016 3:08 PM
To: Marinho, Andreia; Morrison, Robert; Vigliotti, Maria
Cc: Charron, Stephanie; Fifield, William; Carbonneau, Alex
Subject: CBSA/ASFC-16-00574.

**** Please advise ASAP if it should be redirected to another DGO ****

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BPRO-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2016/07/20

Kelly, Sharon

From: Salois, Denis
Sent: July 22, 2016 10:20 AM
To: CBSA-ASFC_VP-Corporate-Affairs-Branch_VP-Direction-générale-des-services-intégrés;
Charron, Renée; Graham, Jason
Cc: Desabrais, Heather
Subject: 2016-00574 Input
Attachments: Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/07/22 10:19:59 AM
To COMMS (1st time) for input to address the following

"There needs to be an information campaign available so that tourism outfitters can consult with their customers on how to clear their record in advance of travel."

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.


Task Information / Information au sujet de la tâche :

BCA-VP ---> INPUT ---> Notes: Input (Comms) - see NOTE TO COMMS ---> Deadline/Date limite: 2016/07/26

Any related documents are in the following folder / Les documents seront dans le dossier:

Communications Input for CBSA/ASFC-16-00574

Approved by A/DG, Communications:


Marc Raider

Date: July 22, 2016

- The Canada Border Services Agency (CBSA) takes its border and national security responsibilities very seriously. The safety and protection of Canadians are the CBSA's top priorities.
- All persons, including Canadian citizens, seeking entry to Canada must present to the CBSA and may be subject to a more in-depth exam.
- All persons must demonstrate they meet the requirements to enter and/or stay in Canada.
- Admissibility of all travelers is decided on a case-by-case basis and based on the information made available to the border services officer at the time of entry.

Most criminal convictions, felony or misdemeanor offences make individuals inadmissible to Canada.

Persons with previous criminality may be eligible to apply for rehabilitation, which would allow admissibility to Canada.

To be eligible, five years must have passed since the completion of a sentence, or if not yet eligible, one can apply for a Temporary Resident Visa, which would allow entry for a certain period of time.

Kelly, Sharon

From: Kelly, Sharon
Sent: July 27, 2016 11:45 AM
To: Charron, Stephanie; Carbonneau, Alex; Fifield, William
Subject: 16-00574 ccmMercury Task _ tâche ccmMercury.txt
Attachments: Goto Record 34095 in database 1.ccm

From: Kelly, Sharon Sent: 2016/07/27 11:45:27 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> ADDITIONAL INPUT ---> Notes: Please see routing comment and question. ---> Deadline/Date limite:
2016/07/29

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Vigliotti, Maria
Sent: August 3, 2016 09:13 AM
To: Charron, Stephanie; Carbonneau, Alex; Fifield, William
Cc: Marinho, Andreia; Morrison, Robert; MacLeod, Lindsey
Subject: FW: CBSA/ASFC-16-00574.
Attachments: FW: CBSA/ASFC-16-00574.; Incoming - GDL005354(1).pdf

Good morning,

Please see DG approved response below

Question: The input includes a paragraph on Temporary Resident Permits (TRP), which states that a person can apply to IRCC in advance for a TRP, but then it says that the decision is made on a case-by-case basis by a border services officer.

Is it that if you are applying in advance of travel, you have to apply to IRCC but if you just show up at the border, a BSO will make the decision?

Answer: Yes, you can apply for rehabilitation in advance through IRCC or attempt to enter by land and the BSO will determine if they believe you have been rehabilitated on a case-by-case basis at the time of entry.

(source: <http://www.cic.gc.ca/english/information/inadmissibility/rehabilitation.asp>)

Being assessed at a Canadian Port of Entry

If you live in the U.S. you may travel to a Canadian Port of Entry and ask to be assessed. You need documents related to your criminal history in support of your claim of being rehabilitated. See which documents you need [Document Checklist - Rehabilitation (PDF, 179.76 KB)]. An immigration officer at the port of entry will determine if you can be deemed rehabilitated and allowed to enter Canada.

If you are not deemed rehabilitated, you will have to apply for individual rehabilitation at a visa office. If you are deemed rehabilitated at the point of entry, or if you need a visa to enter Canada, you still need individual rehabilitation.

Assessment of deemed rehabilitation at a Port of Entry is a completely different process from applying for individual rehabilitation at a visa office. Visit the website of the office where you will be submitting your application for a list of required documents.

From: Charron, Stephanie
Sent: July 29, 2016 1:41 PM
To: Marinho, Andreia; Carbonneau, Alex; Morrison, Robert; Vigliotti, Maria
Cc: Fifield, William
Subject: RE: CBSA/ASFC-16-00574.

The PRO input includes a paragraph on TRPs, which states that a person can apply to IRCC in advance for a TRP, but then it says that the decision is made on a case-by-case basis by a border services officer.

Is it that if you are applying in advance of travel, you have to apply to IRCC but if you just show up at the border, a BSO will make the decision?

Stéphanie Charron

Administrative Assistant, Vice-President's Office, Programs Branch
 Adjointe administrative, Bureau du vice-président, Direction générale des programmes
 Tel: 613-952-5229

From: Marinho, Andreia
Sent: July 29, 2016 1:32 PM
To: Carbonneau, Alex; Morrison, Robert; Vigliotti, Maria
Cc: Charron, Stephanie; Fifield, William
Subject: RE: CBSA/ASFC-16-00574.
Importance: High

Alex,

What is the comment and question? The attachments are the same as in the original request.

Andreia Marinho

A/Strategic Advisor
 Traveller Programs Directorate
 Canada Border Service Agency/Government of Canada
Andreia.Marinho@cbsa-asfc.gc.ca /Tel-613-960-3000 /Fax-613-954-3577

Conseillère Stratégique intérimaire
 Direction du programme des voyageurs
 Agence des services frontaliers du Canada/ Gouvernement du Canada
Andreia.Marinho@cbsa-asfc.gc.ca/Tél 613-960-3000/ Fax-613-954-3577

From: Carbonneau, Alex
Sent: July 27, 2016 12:42 PM
To: Marinho, Andreia; Morrison, Robert; Vigliotti, Maria
Cc: Charron, Stephanie; Fifield, William; Carbonneau, Alex
Subject: CBSA/ASFC-16-00574.

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> ADDITIONAL INPUT ---> Notes: Please see routing comment and question. ---> Deadline/Date limite:
 2016/07/29

Kelly, Sharon

From: Kelly, Sharon
Sent: August 3, 2016 03:44 PM
To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; McIntyre, Molly
Subject: RE: 16-00574 ccmMercury Task _ tâche ccmMercury.txt

From: Kelly, Sharon Sent: 2016/08/03 03:44:16 PM

Since this is a first tasking to OPS and not a request for "additional" input, I have your deadline to August 6 in ccm.

-----Original Message-----

From: Kelly, Sharon
 Sent: August 3, 2016 3:40 PM
 To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; McIntyre, Molly
 Subject: 16-00574 ccmMercury Task _ tâche ccmMercury.txt

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> ADDITIONAL INPUT ---> Notes: Please see routing comment with question ---> Deadline/Date limite: 2016/08/05

Any related documents are in the following folder / Les documents seront dans le dossier:

MEMORANDUM

TO: Jessica Alves
FROM: Carol Scott Regional Program Officer
DATE: August 04, 2016
Subject: Ministerial Correspondence #: CBSA/ASFC-16-00574
Client Name: The Honourable Robert D. Nault for Mr.

I would like to provide the following additional input concerning the above-noted correspondence from The Honourable Robert D. Nault on behalf of Mr.

- Persons who are described as inadmissible to Canada under paragraph 36(2)(b), of the *Immigration and Refugee Protection Act* (IRPA), may submit an application for Rehabilitation at a Port of Entry (POE).
- The review and assessment for Rehabilitation has been delegated to the Chief of Operations level at the POE when it concerns only minor criminality under paragraph 36(2)(b) of IRPA."
- Mr. can refer to the following link for additional information regarding the Rehabilitation process:
<http://www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp>

BACKGROUND

THE FOLLOWING INFORMATION IS FOR INTERNAL CBSA USE ONLY AND HAS NOT BEEN APPROVED FOR EXTERNAL EXPOSURE

- *A conviction for Driving Under the Influence would make a foreign national inadmissible to Canada pursuant to paragraph 36(2)(b) of the IRPA.*

I trust the foregoing is helpful in responding to the request made by the Honourable Robert D. Nault on behalf of Mr.

Approved by:



Roslyn H. MacVicar
Regional Director General
Pacific Region

Kelly, Sharon

From: Salois, Denis
Sent: August 11, 2016 10:18 AM
To: Charron, Stephanie; Carbonneau, Alex; Fifield, William
Subject: 2016-00574 AVP approval
Attachments: Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/08/11 10:17:49 AM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> APPROVE ---> Notes: AVP approval ---> Deadline/Date limite: 2016/08/15

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Salois, Denis
Sent: August 12, 2016 09:56 AM
To: CBSA-ASFC_VP-Corporate-Affairs-Branch_VP-Direction-générale-des-services-intégrés;
 Charron, Renée; Graham, Jason
Cc: Desabrais, Heather
Subject: 2016-00574 Approve (Comms)
Attachments: Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/08/12 09:55:50 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BCA-VP ---> APPROVE ---> Notes: Approve (Comms) ---> Deadline/Date limite: 2016/08/16

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-00574
PSC: GDL-005354

AGENCY APPROVAL FORM **FICHE D'APPROBATION POUR LES ORGANISMES**

To - À: The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence on behalf of Mr. nationals.

regarding the admissibility to Canada of foreign

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for approval) Peter Hill	Associate Vice-President, Programs Branch	
(for approval) Caroline Xavier	Vice-President, Operations Branch	
(for approval) Marc Raider	Acting Director General, Communications Branch	Aug 12/16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000050

Kelly, Sharon

From: Salois, Denis
Sent: August 15, 2016 07:50 AM
To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; McIntyre, Molly
Subject: 2016-00574 VP approval
Attachments: Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/08/15 07:50:26 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2016/08/17

Any related documents are in the following folder / Les documents seront dans le dossier:

To: Alves, Jessica[Jessica.Alves@cbsa-asfc.gc.ca]; Alie, Manon[Manon.Alie@cbsa-asfc.gc.ca]; St-Louis, Roxanne[Roxanne.St-Louis@cbsa-asfc.gc.ca]; McIntyre, Molly[Molly.McIntyre@cbsa-asfc.gc.ca]
Sent: Mon 8/15/2016 11:50:26 AM
From: Salois, Denis
Flag Status: 0x00000000
Subject: 2016-00574 VP approval

Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/08/15 07:50:26 AM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2016/08/17

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-00574
PSC: GDL-005354

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks – Sujet / Remarques :

Correspondence on behalf of Mr.
nationals.

regarding the admissibility to Canada of foreign

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Karen J. Mayer</u> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	<i>aug 11/16</i>
(for approval) <u>[Signature]</u> [Signature]	Associate Vice-President, Programs Branch	AUG 12 2016
(for approval) <u>[Signature]</u> Caroline Xavier	Vice-President, Operations Branch	AUG 15 2016
(for approval) <u>as per attached</u> Marc Raider	Acting Director General, Communications Branch	<i>AUG 12/16</i>

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor

000053



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA 2016-00574
PSC GDL-005354

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence on behalf of Mr.
nationals.

regarding the admissibility to Canada of foreign

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for approval) Peter Hill	Associate Vice-President, Programs Branch	
(for approval) Caroline Xavier	Vice-President, Operations Branch	
(for approval) Marc Raider	Acting Director General, Communications Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000054

- 2 -

Individuals who are ineligible for deemed rehabilitation can apply for individual rehabilitation if the prescribed period of at least five years has passed since the completion of the sentence imposed or the payment of any fine. In the case of criminal inadmissibility under paragraph 36(2)(b) of IRPA, an application and a processing fee can be submitted to a port of entry (POE) at the time of arrival in Canada. Otherwise, the application and fee must be submitted in advance to the nearest Canadian visa office. General information on overcoming criminal inadmissibility is available from the Immigration, Refugees and Citizenship Canada (IRCC) website at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

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Foreign nationals can also contact IRCC at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: August 15, 2016 02:29 PM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2016-00574 PO approval
Attachments: Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/08/15 02:28:56 PM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2016/08/15

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
 CBSA: 2016-00574
 PSC: GDL-005354

**AGENCY FICHE
 APPROVAL D'APPROBATION
 FORM POUR LES
 ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks – Sujet / Remarques :

Correspondence on behalf of Mr. regarding the admissibility to Canada of foreign nationals.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐


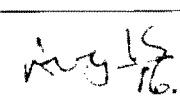
Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	 15/16

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

000058



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-00574
PSC: GDL-005354

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks – Sujet / Remarques :

Correspondence on behalf of Mr.
nationals.

regarding the admissibility to Canada of foreign

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for Karen J. Mayer</i> Nina Equire	Manager, Correspondence, Briefings and Invitations Unit	<i>aug 11/16</i>
(for approval) <i>[Signature]</i> Peter Hill	Associate Vice-President, Programs Branch	AUG 12 2016
(for approval) <i>[Signature]</i> Caroline Xavier	Vice-President, Operations Branch	AUG 15 2016
(for approval) <i>as per attached</i> Marc Raider	Acting Director General, Communications Branch	<i>AUG 12/16</i>

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-00574
PSC: GDL-005354

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - A : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence on behalf of Mr.
nationals.

regarding the admissibility to Canada of foreign

Consultations undertaken / Consultations enterprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

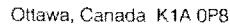
(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for approval) Peter Hill	Associate Vice-President, Programs Branch	
(for approval) Caroline Xavier	Vice-President, Operations Branch	
(for approval) Marc Raider	Acting Director General, Communications Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000060



- 2 -

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Foreign nationals can also contact IRCC at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

The Honourable Robert D. Nault, P.C., M.P.
Kenora
House of Commons
Ottawa, Ontario K1A 0A6

Dear Mr. Nault:

Thank you for your correspondence of July 5, 2016, on behalf of
Mr. [redacted] regarding the admissibility to Canada of foreign nationals.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry (POEs), border services officers (BSOs) assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

There are two means by which criminal inadmissibility may be overcome: deemed rehabilitation and individual rehabilitation. In the instance of inadmissibility for an indictable *Criminal Code* offence punishable by imprisonment for a term not exceeding five years or a *Criminal Code* offence punishable on summary conviction, the person may be eligible for deemed rehabilitation if a period of at least 10 years has elapsed and the individual has no other convictions. Deemed rehabilitation is a fact of law whereby the appropriate time has elapsed, and it will be assessed by a BSO when an individual seeks entry into Canada.

Canada

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ADD IN DATA:
- THANKS FOR BRINGING THIS CONCERN TO MY ATTENTION.
- I WOULD LIKE TO INFORM YOU ABOUT TWO WAYS TRAVELLERS CAN LOOK INTO ENTRY REQUIREMENT

- 2 -

Individuals who are ineligible for deemed rehabilitation can apply for individual rehabilitation if the prescribed period of at least five years has passed since the completion of the sentence imposed or the payment of any fine. In the case of criminal inadmissibility under paragraph 36(2)(b) of IRPA, an application and a processing fee can be submitted to a port of entry (POE) at the time of arrival in Canada. Otherwise, the application and fee must be submitted in advance to the nearest Canadian visa office. General information on overcoming criminal inadmissibility is available from the Immigration, Refugees and Citizenship Canada (IRCC) website at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

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LEAVE IN

Foreign nationals can also contact IRCC at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Thank you again for writing.

Yours sincerely,

LEAVE THIS PARA IN!

The Honourable Ralph Goodale, P.C., M.P.

- 2 -

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Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

- 2 -

The Honourable Ralph Goodale, P.C., M.P.

- 2 -

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The Honourable Ralph Goodale, P.C., M.P.

- 2 -

www.cic.gc.ca/english/information/inadmissibility/conviction.asp.

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Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

August 8, 2016 (km)

**Writer: Lynne Leyshon
CBSA: 2016-00574**

The Honourable Robert D. Nault, P.C., M.P.
Kenora
House of Commons
Ottawa, Ontario K1A 0A6

Dear Mr. Nault:

Thank you for your correspondence of July 5, 2016, on behalf of Mr. , regarding the admissibility to Canada of foreign nationals.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry (POEs), border services officers (BSOs) assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

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- 2 -

the Immigration, Refugees and Citizenship Canada (IRCC) website at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

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Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

August 8, 2016 (km)

**Writer: Lynne Leyshon
CBSA: 2016-00574**

The Honourable Robert D. Nault, P.C., M.P.
Kenora
House of Commons
Ottawa, Ontario K1A 0A6

Dear Mr. Nault:

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Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

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Individuals who are ineligible for deemed rehabilitation can apply for individual rehabilitation if the prescribed period of at least five years has passed since the completion of the sentence imposed or the payment of any fine. An application for individual rehabilitation and a processing fee must be submitted to the nearest Canadian visa office, and a decision must be rendered. For more information related to overcoming criminal inadmissibility, please visit Immigration, Refugees and Citizenship Canada's website at www.cic.gc.ca/english/information/inadmissibility/

- 2 -

conviction.asp.

An individual can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about his/her admissibility to Canada. Depending on the crime, how long ago it was and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

If an individual believes he/she may be inadmissible for having been convicted of a crime in or outside of Canada, he/she can apply to Immigration, Refugees and Citizenship Canada in advance for a temporary resident permit (TRP). If justified by compelling circumstances, foreign nationals who are inadmissible to Canada, including individuals who have a criminal conviction, may be issued a TRP that allows them to enter Canada.

The decision is made on a case by case basis by a border services officer, who may take into consideration factors that make the person's presence in Canada necessary (e.g. family ties, job, qualifications, economic contribution, and temporary attendance at an event). Information on TRPs is available at **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

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Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

- 2 -

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Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

To: Charron, Stephanie[Stephanie.Charron@cbsa-asfc.gc.ca]; Carbonneau, Alex[Alex.Carbonneau@cbsa-asfc.gc.ca]; Fifield, William[William.Fifield@cbsa-asfc.gc.ca]
Sent: Wed 8/24/2016 3:07:50 PM
From: Salois, Denis
Flag Status: 0x00000000
Subject: 2016-00574 For VP re-approval of MO requested changes

Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/08/24 11:07:50 AM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> APPROVE ---> Notes: For VP re-approval of MO requested changes ---> Deadline/Date limite: 2016/08/26

Any related documents are in the following folder / Les documents seront dans le dossier:

To: Alves, Jessica[Jessica.Alves@cbsa-asfc.gc.ca]; Alie, Manon[Manon.Alie@cbsa-asfc.gc.ca]; St-Louis, Roxanne[Roxanne.St-Louis@cbsa-asfc.gc.ca]; Molly.McIntyre@cbsa-asfc.gc.ca[Molly.McIntyre@cbsa-asfc.gc.ca]
Sent: Mon 8/29/2016 4:22:06 PM
From: Salois, Denis
Flag Status: 0x00000000
Subject: 2016-00574 VP re-approval

Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/08/29 12:22:06 PM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> APPROVE ---> Notes: VP re-approval of MO requested changes ---> Deadline/Date limite: 2016/08/31

Any related documents are in the following folder / Les documents seront dans le dossier:

To: CBSA-ASFC_VP-Corporate-Affairs-Branch_VP-Direction-générale-des-services-intégrés[VP-Corporate-Affairs-Branch_VP-Direction-generale-des-services-integres@cbsa-asfc.gc.ca]; Charron, Renée[Renee.Charron@cbsa-asfc.gc.ca]; Graham, Jason[Jason.Graham@cbsa-asfc.gc.ca]
Cc: Desabrais, Heather[Heather.Desabrais@cbsa-asfc.gc.ca]
Sent: Fri 9/2/2016 2:28:52 PM
From: Salois, Denis
Flag Status: 0x00000000
Subject: 2016-00574 Approve (Comms)

Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/09/02 10:28:52 AM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BCA-VP ---> APPROVE ---> Notes: Approve (Comms) ---> Deadline/Date limite: 2016/09/07

Any related documents are in the following folder / Les documents seront dans le dossier:

To: CBSA-ASFC_VP-Corporate-Affairs-Branch_VP-Direction-générale-des-services-intégrés[VP-Corporate-Affairs-Branch_VP-Direction-generale-des-services-integres@cbsa-asfc.gc.ca]; Charron, Renée[Renee.Charron@cbsa-asfc.gc.ca]; Graham, Jason[Jason.Graham@cbsa-asfc.gc.ca]
Cc: Desabrais, Heather[Heather.Desabrais@cbsa-asfc.gc.ca]
Sent: Fri 9/2/2016 2:28:52 PM
From: Salois, Denis
Flag Status: 0x00000000
Subject: 2016-00574 Approve (Comms)

Goto Record 34095 in database 1.ccm

From: Salois, Denis Sent: 2016/09/02 10:28:52 AM

ccmMercury Notification / Avis ccmMercury
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You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00574.

Task Information / Information au sujet de la tâche :

BCA-VP ---> APPROVE ---> Notes: Approve (Comms) ---> Deadline/Date limite: 2016/09/07

Any related documents are in the following folder / Les documents seront dans le dossier:

Communications Input for CBSA/ASFC-16-00574

Approved by A/DG, Communications: _____ Date: _____

Marc Raider

- The Canada Border Services Agency (CBSA) takes its border and national security responsibilities very seriously. The safety and protection of Canadians are the CBSA's top priorities.
- All persons, including Canadian citizens, seeking entry to Canada must present to the CBSA and may be subject to a more in-depth exam.
- All persons must demonstrate they meet the requirements to enter and/or stay in Canada.
- Admissibility of all travelers is decided on a case-by-case basis and based on the information made available to the border services officer at the time of entry.

Most criminal convictions, felony or misdemeanor offences make individuals inadmissible to Canada.

Persons with previous criminality may be eligible to apply for rehabilitation, which would allow admissibility to Canada.

To be eligible, five years must have passed since the completion of a sentence, or if not yet eligible, one can apply for a Temporary Resident Visa, which would allow entry for a certain period of time.



Public Safety Canada

Sécurité publique Canada

File/Docket No. No dossier

CBSA: 2016-00574

PSC: GDL-005354

**AGENCY FICHE
APPROVAL D APPROBATION
FORM POUR LES
ORGANISMES**

To À : The Honourable Ralph Goodale

Date:

Purpose / Urgency But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks Sujet / Remarques :

Correspondence on behalf of Mr.
nationals.

regarding the admissibility to Canada of foreign

Consultations undertaken / Consultations enterprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) _____ Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for re-approval) _____ Martin Bolduc	Vice-President, Programs Branch	
(for re-approval) _____ Caroline Xavier	Vice-President, Operations Branch	
(for re-approval) Erika-Kirsten Easton	Director General, Communications Branch	Sept 12, 2016

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS 12th Floor

000084



Public Safety Canada

Sécurité publique Canada

File Docket No. - No dossier
CBSA 2016-00574
PSCD GDL-005354

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

2016 SEP 15 11:31
AGENCE DES
FRONTIÈRES
DU CANADA
BUREAU 100

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence on behalf of Mr. regarding the admissibility to Canada of foreign nationals.

Consultations undertaken / Consultations entreprises :

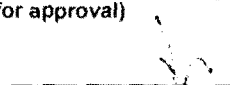
Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	Aug 15/16

* for re-approval as Minister's Office requested changes on Aug 03/16

For re-approval

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000085



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-00574
PSC: GDL-005354

AGENCY APPROVAL FORM
FICHE D'APPROBATION POUR LES ORGANISMES

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence on behalf of Mr. nationals.

regarding the admissibility to Canada of foreign

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>as per attached</i> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Aug 24/16
(for re-approval) <i>G Ag 29/16</i> Martin Bolduc	Vice-President, Programs Branch	
(for re-approval) <i>Caroline Xavier</i> Caroline Xavier	Vice-President, Operations Branch	
(for re-approval) <i>See attached</i> Marc Rader <i>Enka Kinsten</i>	Acting Director General, Communications Branch	

* For re-approval as MO requested changes on Aug 23/16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000086



Public Safety Canada

Sécurité publique Canada

File/Docket No. No dossier
CBSA: 2016-00574
PSC: GDL-005354

**AGENCY FICHE
APPROVAL D APPROBATION
FORM POUR LES
ORGANISMES**

To A: The Honourable Ralph Goodale

Date:

Purpose / Urgency But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks Sujet / Remarques :

Correspondence on behalf of Mr. regarding the admissibility to Canada of foreign
nationals.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for re-approval) Martin Bolduc	Vice-President, Programs Branch	
(for re-approval) Caroline Xavier	Vice-President, Operations Branch	
(for re-approval) Erika-Kirsten Easton	Director General, Communications Branch	Sept 12, 2016

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS 12th Floor

000087



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-00574
PSC: GDL-005354

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence on behalf of Mr. ' regarding the admissibility to Canada of foreign
nationals.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Eugen J. Mayer</u> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	<i>aug 11/16</i> <i>KM</i>
(for approval) <u>[Signature]</u> Pearl Hill	Associate Vice-President, Programs Branch	AUG 12 2016
(for approval) <u>[Signature]</u> Caroline Xavier	Vice-President, Operations Branch	AUG 15 2016
(for approval) <u>as per attached</u> Marc Raider	Acting Director General, Communications Branch	AUG 12/16

* for re-approval as Minister's office requested changes on aug 23/16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000088



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-00574
PSC: GDL-005354

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter to the Honourable Robert D. Nault, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence on behalf of Mr. _____, regarding the admissibility to Canada of foreign nationals.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

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(for approval) Peter Hill	Associate Vice-President, Programs Branch	
(for approval) Caroline Xavier	Vice-President, Operations Branch	
(for approval) Marc Raider	Acting Director General, Communications Branch	2016/04/16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

The Honourable Robert D. Nault, P.C., M.P.
Kenora
House of Commons
Ottawa, Ontario K1A 0A6

Dear Mr. Nault:

Thank you for your correspondence of July 5, 2016, on behalf of
Mr. [redacted] regarding the admissibility to Canada of foreign nationals.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry (POEs), border services officers (BSOs) assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

Thank you for bringing Mr. [redacted] concerns to my attention. I would like to inform you of two ways in which a foreign national can look further into the entry requirements for Canada as they pertain to his/her particular case.

Before arriving at a POE, travellers can contact the Canadian Embassy, Mission, or High Commission in their own country to see if they qualify for a TRP. A list of office locations is available at www.cic.gc.ca/english/information/offices/missions.asp.

Canada

- 2 -

Foreign nationals can also contact IRCC at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

SEP 21 2016

The Honourable Robert D. Nault, P.C., M.P.
Kenora
House of Commons
Ottawa, Ontario K1A 0A6

Dear Mr. Nault:

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Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

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Canada

- 2 -

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Thank you again for writing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Goodale', written in a cursive style.

The Honourable Ralph Goodale, P.C., M.P.

From: CIC - Ministerial Enquiries Division/CIC - Service de renseignements ministériels
To:
Subject: Recent experience at the Vancouver International Airport, immigration complaint
Date: Friday, July 29, 2016 1:24:16 PM
Attachments:

Dear Sir/Madam,

On behalf of the Honourable John McCallum, Minister of Immigration, Refugees and Citizenship, I wish to acknowledge receipt of your correspondence of April 7, 2016.

The issue you raise falls within the responsibility of the Ministry of Public Safety and Emergency Preparedness. I have forwarded your correspondence to their office for consideration.

Thank you for having taken the time to write.

K. Wahlen
Ministerial Enquiries Division
Immigration, Refugees and Citizenship Canada

CC: Ministry of Public Safety and Emergency Preparedness

DOC. GDL-005610
OP/BPR CBSA
D.D./D.E. 8/31/2016
ACTION REPLY
FILE ### DOSSIER 8000-7-1 UNC

From:
Sent: April 7, 2016 10:24 AM
To: Minister
Subject: Recent experience at the Vancouver International Airport, immigration complaint
Attachments:

From:

To: Minister of Immigration, Refugees and Citizenship of Canada

The Honourable John McCallum, P.C., M.P.

365 Laurier Avenue West

Ottawa, Ontario

K1A 1L1 .

Telephone: 613-954-1064

Fax: 613-952-5533

Dear Minister,

I am writing to you to express my concern about my recent experience at the Vancouver International Airport.
which was treated and humiliated publicly at the Vancouver Airport by your
personnel.

I was on my way back flying from Manila, Philippines to New York City through Vancouver, since I had a separate ticket; I had to go through the immigration and customs at the Vancouver International Airport in order to get on the plane to New York City, JFK. I was stopped by immigration officers, and they walked me into the separate room stating that they have to do a background check, after they found out that I had a DUI violation in the United States

I have confirmed that I did had a violation 6 years ago, and that have successfully completed the "Counseling for Change" for 32 weeks (please see attached), and ever since I had no violations or whatsoever, but several immigration officers were still treating me like a criminal, and they stated that: "You are not welcomed into Canada", such statements and the situation itself really have hurt my feelings, and I felt extremely humiliated and treated like a "trash bin". I understand that I have a DUI record in the past, but I did realized what I've done wasn't right and was forgiven by the US government.

Due to this situation I am asking you to help me to resolve the issue and clear my name as I haven't done anything criminal, I still want to be able to visit Canada as I admire the country, the people and have friends and family living there.

Also for your convenience i have attached copy of my passport.

Should you have any questions or concerns please feel free to contact me,

Thank you,

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL005610/ Green /

X REF. #

CBSA-ASFC # 2016-00629

SECURITY: U

MINISTER'S OFFICE DUE DATE /
DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : August 31, 2016

SUBJECT / OBJET: IRCC referral. writes regarding his experience at Vancouver
International Airport, and past DUI.

ISSUE / QUESTION: DRIVING UNDER THE INFLUENCE / ADMISSIBILITY

CBSA BRANCH DISTRIBUTION / ACTION:

- ☒ Operations / Opérations
☐ Programs / Programmes
☐ Technology / Technologie
☐ Human Resources / Ressources humaines
☐ Comptrollership / Contrôle
☐ Corporate Affairs / Services corporatifs

TASK :

- ☒ Input / fournir des renseignements
☐ Information Only / à titre d'information seulement
☐ Information and Action / Pour votre suivi

Comments / Commentaires:

Please advise within 24 hours if this should be tasked to another area to provide input.

July 29/16 Date Rec'd at MCU/PS
Aug 3/16 Date Rec'd at MINCOR/CBSA
Aug 4/16 Date Assessed CMH
Aug 4/16 Date Entered in ccm DS

Kelly, Sharon

From: Salois, Denis
Sent: August 4, 2016 09:40 AM
To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; McIntyre, Molly
Subject: 2016-00629 Input
Attachments: Goto Record 34155 in database 1.ccm

From: Salois, Denis Sent: 2016/08/04 09:40:10 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00629.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2016/08/18

Any related documents are in the following folder / Les documents seront dans le dossier:

MEMORANDUM

TO: Jessica Alves

FROM: Deborah Holtan, Regional Program Officer

DATE: August 11, 2016

Subject: Ministerial Correspondence #: CBSA/ASFC-16-00629
Client Name: Mr.

I would like to provide the following information concerning the above-noted correspondence from Mr.

- The Honourable John McCallum, Minister of Immigration, Refugees and Citizenship Canada, received an email correspondence from Mr. on April 7, 2016. This correspondence was in turn forwarded to the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness for reply on July 29, 2016.
- Mr. writes that while travelling from the Republic of the Philippines to the United States (US), he transited through Canada via the Vancouver International Airport (VIA) Port of Entry (POE). Furthermore, upon entering Canada, he was required to proceed through the Canada Border Services Agency (CBSA) checkpoint as he had purchased separate tickets in order to return back to the US.
- Mr. expressed concerns regarding his recent treatment at the VIA POE as he was referred into the secondary examination area where border services officers (BSO) found out that Mr. had a "Driving Under the Influence" (DUI) conviction from in the US.
- In his correspondence, Mr. provides a summary of his DUI conviction and the document showing that he has successfully completed the 32 week Queens Counselling for Change course, and has had no other charges or convictions on his record. While the course can be a sentencing requirement, it is important to note, it is not a part of the admissibility requirement for entering Canada.
- Mr. feels as though he was treated in a disrespectful manner as he alleges a BSO stated that he was not welcome in Canada as a result of his past DUI.
- Mr. is writing to the Honourable Minister to ask for assistance in clearing his name as he wishes to visit friends and family in the future.

- The CBSA takes seriously allegations of inappropriate or unprofessional conduct on the part of its BSOs. A considerable part of BSO training is devoted to topics such as interviewing techniques and client service. BSOs are expected to be sensitive and responsive to the needs of the travelling public during the performance of their duties. Further, it is recognized that enforcement actions can be upsetting to travellers, and officers are expected to conduct these actions in a manner that is as courteous and efficient as the situation allows.
- The CBSA would also like Mr. [redacted] to know that the Agency is committed to treating all members of the public equally, regardless of race, national or ethnic origin, colour, religion, sex, age, and mental or physical disability. The *Canadian Charter of Rights and Freedoms* specifies that all individuals are equal before the law and have the right to equal protection and benefit of the law without discrimination. It is the stated and enforced policy of the CBSA to adhere to the letter and spirit of the Charter.
- The *Immigration and Refugee Protection Act* (IRPA) and its Regulations govern the admission of all foreign nationals into Canada. In accordance with IRPA Regulations, BSOs are responsible for ensuring foreign nationals are in compliance with the requirements set out in the Act.
- It is important to note that the primary role of BSOs is to facilitate the entry of legitimate persons and goods into Canada while protecting the integrity of Canadian borders. In some cases, BSOs may refer travellers to verify their declaration. Examinations for the purpose of verifying a declaration are routine in nature and should not be considered an accusation of guilt or wrongdoing.
- When determining a traveller's admissibility, BSOs must conduct thorough examinations that may include personal questions and any other details of their travel plans.
- The CBSA, Pacific Region conducted a review of Mr. [redacted] passage history into Canada and determined that Mr. [redacted] was deemed inadmissible to Canada pursuant to section (s.) 36(2)(b) of IRPA, at the St-Bernard-de-Lacolle, Quebec POE. As such, a report was prepared outlining his inadmissibility and presented to Mr. [redacted]. He was also counselled on his inadmissibility, how to overcome his inadmissibility for future entries to Canada, and offered the option voluntarily withdraw his application to enter Canada.

- In addition, Mr. [redacted] was deemed to be inadmissible to Canada due to the same criminality and was allowed to voluntarily withdraw his application to enter Canada at the VIA POE.
- [redacted] the Canadian Consulate in New York, US received Mr. [redacted] application for Criminal Rehabilitation. To date, no decision has been rendered on that application. The decision is the final step before being considered admissible to Canada and criminally rehabilitated.
- For further information regarding what to expect when entering Canada as a visitor and what to expect during a secondary examination, Mr. [redacted] may refer to the following links:

<http://www.cbsa.gc.ca/noncan-eng.html>

<http://www.cbsa.gc.ca/publications/pub/bsf5146-eng.html>

- The CBSA regrets that the service Mr. [redacted] received did not meet his expectations. The Agency recognizes that service quality has a direct impact on clients' perceptions of Canada as a place to live, visit, or conduct business, and would like to thank Mr. [redacted] for taking the time to voice his concerns as it allows the Agency to monitor the effectiveness of its services. For future travel, it is recommended that Mr. [redacted] ask to speak with the superintendent on duty if he is not satisfied with the service he is receiving. The CBSA finds that it is most effective to resolve matters at the time of the incident.

BACKGROUND

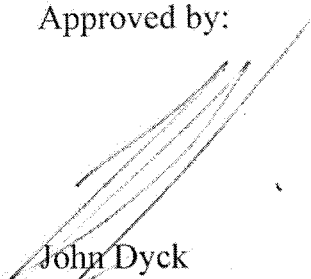
THE FOLLOWING INFORMATION IS FOR INTERNAL CBSA USE ONLY AND HAS NOT BEEN APPROVED FOR EXTERNAL EXPOSURE

- *A review of the CBSA databases indicates that on [redacted] Mr. [redacted] was charged with a DUI in New York City, New York. Mr. [redacted] was convicted upon his plea of guilty. This offence, if committed in Canada would equate to section (s.) 253(1)(a) of the Criminal Code of Canada (CCC) and renders Mr. [redacted] inadmissible to Canada pursuant to s. 36(2)(b) of the IRPA.*
- *[redacted] Mr. [redacted] was charged with another DUI in New York City, New York, [redacted] Mr. [redacted] was convicted upon his plea of guilty. This offence, if committed in Canada would equate to s. 253(1)(a) of the CCC and renders Mr. [redacted] inadmissible to Canada pursuant to s. 36(2)(b) of IRPA.*

- *Mr. was deemed to be inadmissible to Canada and was allowed to voluntarily withdraw at the St-Bernard-de-Lacolle POE.*
- *Mr. was deemed to be inadmissible to Canada and was allowed to voluntarily withdraw at the VIA POE.*

I trust the foregoing is helpful in responding to Mr. concerns regarding his admissibility to Canada.

Approved by:



John Dyck
A/Regional Director General
Pacific Region

Mr.

Dear Mr.

The office of my colleague, the Honourable John McCallum, Minister of Immigration, Refugees and Citizenship, forwarded to me on July 29, 2016, your correspondence concerning your border clearance at the Vancouver International Airport (VIA)

I would first like to assure you that the Canada Border Services Agency (CBSA) takes seriously allegations of inappropriate or unprofessional conduct on the part of its border services officers (BSO). A considerable part of BSO training is devoted to topics such as interviewing techniques and client service. BSOs are expected to be sensitive and responsive to the needs of the travelling public during the performance of their duties. Further, it is recognized that enforcement actions can be upsetting to travellers, and officers are expected to conduct these actions in a manner that is as courteous and efficient as the situation allows.

The CBSA's mandate is to ensure that admissible people and goods have access to Canada. The *Immigration and Refugee Protection Act* (IRPA) and its regulations govern the admission of all foreign nationals into Canada. BSOs are responsible for ensuring that foreign nationals comply with the requirements set out in the Act.

Upon receipt of your correspondence, I asked CBSA officials to look into your concerns. I am advised that while travelling from the Republic of the Philippines to the United States (US), you transited through Canada at the VIA. You were required to proceed through the CBSA checkpoint, as you had purchased separate tickets in order to return back to the US.

You were referred to the secondary examination area where the BSO determined that you had a Driving Under the Influence (DUI) conviction from in the US. I note that you have provided a summary of your DUI conviction and a document showing that you have successfully completed the 32-week Queens Counselling for Change course. While completing this course can be a sentencing requirement, it is important to note that it is not a part of the admissibility requirement for entering Canada.

- 2 -

The CBSA's Pacific Region has conducted a review of your passage history into Canada and determined that you were deemed inadmissible to Canada under paragraph 36(2)(b) of IRPA at the St-Bernard-de-Lacolle, Quebec, port of entry. At that time, a report was prepared outlining your inadmissibility and presented to you. You were also counselled on how to overcome your inadmissibility for future entries into Canada and offered the option to voluntarily withdraw your application to enter the country. you were again deemed inadmissible to Canada based on the same criminality and were allowed to voluntarily withdraw your application to enter Canada at the VIA.

CBSA officials inform me that on the Canadian Consulate in New York received your application for criminal rehabilitation. To date, no decision has been rendered on that application, which is the final step before being considered admissible to Canada and criminally rehabilitated. For further information regarding what to expect when entering Canada as a visitor and what to expect during a secondary examination please refer to **www.cbsa.gc.ca/noncan-eng.html** and **www.cbsa.gc.ca/publications/pub/bsf5146-eng.html**.

Please be assured that your feedback about your experience is appreciated and that the CBSA recognizes that service quality has a direct impact on clients' perceptions of Canada as a place to live, visit, or conduct business. I regret that the service you received did not meet your expectations. May I suggest for future border crossings that you request the assistance of the superintendent on duty if you feel that the service you are receiving does not meet your expectations. In many cases, superintendents are able to address travellers' concerns immediately.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Mr.

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- 2 -

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Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

August 18, 2016
Clean Draft August 26, 2016 (DS)

Writer: Neil Kennedy (954-7142)
CBSA: 2016-00629

Mr.

Dear

The office of my colleague, the Honourable John McCallum, Minister of Immigration, Refugees and Citizenship, forwarded to me on July 29, 2016, your correspondence concerning your border clearance at the Vancouver International Airport (VIA)

I would first like to assure you that the Canada Border Services Agency (CBSA) takes seriously allegations of inappropriate or unprofessional conduct on the part of its border services officers (BSO). A considerable part of BSO training is devoted to topics such as interviewing techniques and client service. BSOs are expected to be sensitive and responsive to the needs of the travelling public during the performance of their duties. Further, it is recognized that enforcement actions can be upsetting to travellers, and officers are expected to conduct these actions in a manner that is as courteous and efficient as the situation allows.

The *Immigration and Refugee Protection Act* (IRPA) and its regulations govern the admission of all foreign nationals into Canada. BSOs are responsible for ensuring that foreign nationals comply with the requirements set out in the Act.

Upon receipt of your correspondence, I asked CBSA officials to look into your concerns. I am advised that while travelling from the Republic of the Philippines to the United States (US), you transited through Canada at the VIA. You were required to proceed through the CBSA checkpoint, as you had purchased separate tickets in order to return back to the US.

You were referred to the secondary examination area where the BSO determined that you had a Driving Under the Influence (DUI) conviction from - - - - - in the US. I note that you have provided a summary of your DUI conviction and a document showing that you have successfully completed the 32-week Queens Counselling for Change course. While the course can be a sentencing requirement, it is important to note that it is not a part of the admissibility requirement for entering Canada.

- 2 -

The CBSA's Pacific Region has conducted a review of your passage history into Canada and determined that you were deemed inadmissible to Canada under paragraph 36(2)(b) of IRPA at the St-Bernard-de-Lacolle, Quebec, port of entry (POE). At that time, a report was prepared outlining your inadmissibility and presented to you. You were also counselled on how to overcome your inadmissibility for future entries into Canada and offered the option to voluntarily withdraw your application to enter Canada. you were again deemed to be inadmissible to Canada based on the same criminality and were allowed to voluntarily withdraw your application to enter Canada at the VIA POE.

CBSA officials inform me that , the Canadian Consulate in New York received your application for criminal rehabilitation. To date, no decision has been rendered on that application, which is the final step before being considered admissible to Canada and criminally rehabilitated. For further information regarding what to expect when entering Canada as a visitor and what to expect during a secondary examination please refer to **www.cbsa.gc.ca/noncan-eng.html** and **www.cbsa.gc.ca/publications/pub/bsf5146-eng.html**.

Please be assured your feedback is appreciated and that the CBSA recognizes that service quality has a direct impact on clients' perceptions of Canada as a place to live, visit, or conduct business. I regret that the service you received did not meet your expectations. May I suggest for future border crossings that you request the assistance of the superintendent on duty if you feel that the service you are receiving does not meet your expectations. In many cases, superintendents are able to address travellers' concerns immediately.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

August 18, 2016

Writer: Neil Kennedy (954-7142)

CBSA: 2016-00629

Mr.

Dear

The office of the Honourable John McCallum, Minister of Immigration, Refugees and Citizenship Canada, forwarded to me on July 29, 2016, your correspondence concerning your inadmissibility into Canada and your border clearance at the Vancouver International Airport (VIA)

The Canada Border Services Agency (CBSA) takes seriously allegations of inappropriate or unprofessional conduct on the part of its border services officers (BSOs). A considerable part of BSO training is devoted to topics such as interviewing techniques and client service. BSOs are expected to be sensitive and responsive to the needs of the travelling public during the performance of their duties. Further, it is recognized that enforcement actions can be upsetting to travellers, and officers are expected to conduct these actions in a manner that is as courteous and efficient as the situation allows.

The CBSA is committed to treating all members of the public equally, regardless of race, national or ethnic origin, colour, religion, sex, age, and mental or physical disability. The *Canadian Charter of Rights and Freedoms* specifies that all individuals are equal before the law and have the right to equal protection and benefit of the law without discrimination. It is the stated and enforced policy of the Agency to adhere to the letter and spirit of the Charter.

The *Immigration and Refugee Protection Act* (IRPA) and its Regulations govern the admission of all foreign nationals into Canada. In accordance with IRPA Regulations, BSOs are responsible for ensuring foreign nationals are in compliance with the requirements set out in the Act. BSOs may refer travellers to verify their declaration. Referrals for a secondary examination are a normal part of the cross-border travel process and should not be viewed as an indication of wrongdoing. When determining a traveller's admissibility, BSOs must conduct thorough examinations that may include personal questions and any other details of their travel plans.

Upon receipt of your correspondence, I requested that CBSA officials look into your concerns. I am advised that while travelling from the Republic of the Philippines to the United States (US), you transited through Canada at VIA, which required you to proceed through the CBSA checkpoint as you had purchased separate tickets in order to return back to the United States (US). You were referred into the secondary examination area where the BSO determined that you had a "Driving Under the Influence" (DUI) conviction from [redacted] in the US. I note that you have provided a summary of your DUI conviction and a document showing that you have successfully completed the 32 week Queens Counselling for Change course. While the course can be a sentencing requirement, it is important to note, it is not a part of the admissibility requirement for entering Canada.

The CBSA, Pacific Region conducted a review of your passage history into

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- 2 -

Canada and determined that you were deemed inadmissible to Canada pursuant to subsection 36(2)(b) of IRPA, at the St-Bernard-de-Lacolle, Quebec, port of entry (POE). As such, a report was prepared outlining your inadmissibility and presented to you. You were also counselled on how to overcome your inadmissibility for future entries to Canada, and offered the option voluntarily withdraw your application to enter Canada. On you were deemed to be inadmissible to Canada due to the same criminality and were allowed to voluntarily withdraw your application to enter Canada at the VIA POE.

CBSA officials inform me that on the Canadian Consulate in New York, US received your application for Criminal Rehabilitation. To date, no decision has been rendered on that application, which is the final step before being considered admissible to Canada and criminally rehabilitated. For further information regarding what to expect when entering Canada as a visitor and what to expect during a secondary examination, is available at **www.cbsa.gc.ca/noncan-eng.html** and **www.cbsa.gc.ca/publications/pub/bsf5146-eng.html**.

Please be assured your feedback is appreciated and that the CBSA recognizes that service quality has a direct impact on clients' perceptions of Canada as a place to live, visit, or conduct business. I nonetheless regret that the service you received did not meet your expectations. May I suggest for future border crossings that you request the assistance of the superintendent on duty if you feel that the service you are receiving does not meet your expectations. In many cases, superintendents are able to address travellers' concerns immediately.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

To: Alves, Jessica[Jessica.Alves@cbsa-asfc.gc.ca]; Alie, Manon[Manon.Alie@cbsa-asfc.gc.ca]; St-Louis, Roxanne[Roxanne.St-Louis@cbsa-asfc.gc.ca]; Molly.McIntyre@cbsa-asfc.gc.ca[Molly.McIntyre@cbsa-asfc.gc.ca]
Sent: Mon 8/29/2016 4:20:49 PM
From: Salois, Denis
Flag Status: 0x00000000
Subject: 2016-00629 VP approval

Goto Record 34155 in database 1.ccm

From: Salois, Denis Sent: 2016/08/29 12:20:49 PM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00629.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2016/08/31

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-00629
PSC: GDL-005610

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning his border clearance at the Vancouver International Airport

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Aug. 29/16 AUG 30 2016
(for approval) Caroline Xavier	Vice-President, Operations Branch	

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

000114

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

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Upon receipt of your correspondence, I asked CBSA officials to look into your concerns. I am advised that while travelling from the Republic of the Philippines to the United States (US), you transited through Canada at the VIA. You were required to proceed through the CBSA checkpoint, as you had purchased separate tickets in order to return back to the US.

You were referred to the secondary examination area where the BSO determined that you had a Driving Under the Influence (DUI) conviction from in the US. I note that you have provided a summary of your DUI conviction and a document showing that you have successfully completed the 32-week Queens Counselling for Change course. While completing this course can be a sentencing requirement, it is important to note that it is not a part of the admissibility requirement for entering Canada.

Canada

000115

- 2 -

The CBSA's Pacific Region has conducted a review of your passage history into Canada and determined that (b) you were deemed inadmissible to Canada under paragraph 36(2)(b) of IRPA at the St-Bernard-de-Lacolle, Quebec, port of entry. At that time, a report was prepared outlining your inadmissibility and presented to you. You were also counselled on how to overcome your inadmissibility for future entries into Canada and offered the option to voluntarily withdraw your application to enter the country. (b) you were again deemed inadmissible to Canada based on the same criminality and were allowed to voluntarily withdraw your application to enter Canada at the VIA.

CBSA officials inform me that (b) the Canadian Consulate in New York received your application for criminal rehabilitation. To date, no decision has been rendered on that application, which is the final step before being considered admissible to Canada and criminally rehabilitated. For further information regarding what to expect when entering Canada as a visitor and what to expect during a secondary examination please refer to **www.cbsa.gc.ca/noncan-eng.html** and **www.cbsa.gc.ca/publications/pub/bsf5146-eng.html**.

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Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: August 31, 2016 10:52 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2016-00629 PO approval
Attachments: Goto Record 34155 in database 1.ccm

From: Salois, Denis Sent: 2016/08/31 10:52:18 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00629.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2016/08/31

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-00629
PSC: GDL-005610

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

2016 AUG 31 10 54

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning his border clearance at the Vancouver International Airport

Consultations undertaken / Consultations entreprises :

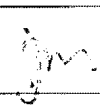
Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	Aug 31 / 16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

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Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-00629
PSC: GDL-005610

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

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Legal / Services juridiques

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Other / Autre

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SRS - 12th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

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Canada

000120

- 2 -

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Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

SEP 2 0 2016

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Canada

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- 2 -

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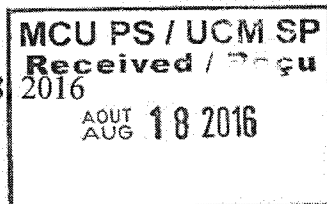
Thank you for writing.

Yours sincerely,



The Honourable Ralph Goodale, P.C., M.P.

August 8 2016



Minister of Public Safety and Emergency Preparedness
Honorable Ralph Goodale
House of Commons
Ottawa, Ontario
K1A 0A6

Dear, Minister Goodale

I have a dear friend She is not able to travel to Canada.
She has had 3 drunk driving convictions | All were
misdemeanors, with the final one, it was a one year probation which was completed in
I have read the visa rules and accordingly it should be determined that she
is qualified for Deemed Rehabilitated as 5 years has passed. CBSA has said no.

I keep running into roadblocks, No one at the CBSA or government offices will give me
a straight answer, even though it is in the laws.

I am looking for help in this matter, Also CBSA in Windsor have suggested I seek a
Ministers letter to allow her to visit. So I am asking for your permission as Minister to
allow this person into Canada for a short period to visit me and my family.

I can provide you with her personnel information at your request.

Thank-you for taking the time to hear my plea.

DOC.	ADL-005913
OP/BPR	CBSA
D.D./D.E.	9/19/2016
ACTION	Reply
FILE #/DOSSIER	8000.8

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL005913/ Green /

X REF. #

CBSA-ASFC # 2016-00691

SECURITY: U

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : September 19, 2016

SUBJECT / OBJET: writes regarding his friend being denied entry into
Canada due to her drunk driving convictions.

ISSUE / QUESTION: DRIVING UNDER THE INFLUENCE / ADMISSIBILITY

CBSA BRANCH DISTRIBUTION / ACTION:

- ☐ Operations / Opérations
- ☐ Programs / Programmes
- ☐ Technology / Technologie
- ☐ Human Resources / Ressources humaines
- ☐ Comptrollership / Contrôle
- ☒ Corporate Affairs / Services corporatifs / CBIU to draft Min Privacy Act response

TASK :

- ☒ Input / fournir des renseignements
- ☐ Information Only / à titre d'information seulement
- ☐ Information and Action / Pour votre suivi

Please advise within 24 hours if this should be tasked to another area to provide input.

CBIU to draft Min Privacy Act response

Aug 18/16 Date Rec'd at MCU/PS

Aug 19/16 Date Rec'd at MINCOR/CBSA

Aug 23/16 Date Assessed MB

Aug 23/16 Date Entered in ccm JS

Mr.

Dear Mr.

Thank you for your correspondence of August 8, 2016, concerning
who was found to be inadmissible to Canada.

The *Privacy Act* prohibits me from commenting on this case or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at **www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf**. In the meantime, I can provide you with the following general information.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry, border services officers assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

- 2 -

Foreign nationals can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Information on overcoming criminal inadmissibility to Canada is also available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

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Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

August 23, 2016

Writer: Trevor Mahon (954-6886)
CBSA: 2016-00691

Mr.

Dear Mr.

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At ports of entry, border services officers (BSOs) assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. For example, in Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

Foreign nationals can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

- 2 -

Information on overcoming criminal inadmissibility to Canada is also available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

August 23, 2016

**Writer: Trevor Mahon (954-6886)
CBSA: 2016-00691**

Mr.

Dear Mr.

Thank you for your correspondence of August 8, 2016, concerning a friend of yours who was found to be inadmissible to Canada.

The *Privacy Act* prohibits me from commenting on this case or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at **www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf**.

In addition to the above-mentioned authorization, in order to fully investigate your concerns, Canada Border Services Agency (CBSA) officials will require more specific information, such as the date and location of your friend's border clearance(s), and, if possible, the name of the CBSA officer who processed her clearance.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-00691
PSC: GDL-005913

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning :
Canada.

who was found to be inadmissible to

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐


Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval)  Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Sept. 19/16

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

000133

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

Thank you for your correspondence of August 8, 2016, concerning :
who was found to be inadmissible to Canada.

The *Privacy Act* prohibits me from commenting on this case or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at **www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf**. In the meantime, I can provide you with the following general information.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry, border services officers assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

Canada

- 2 -

Foreign nationals can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Information on overcoming criminal inadmissibility to Canada is also available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

Citizenship and
Immigration CanadaCitoyenneté et
Immigration Canada

PROTECTED WHEN COMPLETED - B

PAGE 1 OF 1

AUTHORITY TO RELEASE PERSONAL INFORMATION TO A DESIGNATED INDIVIDUAL

Complete this form if you authorize Citizenship and Immigration Canada (CIC) and Canada Border Services Agency (CBSA) to release information from your case file to someone other than yourself.

If your spouse or common-law partner wishes to release personal information to the same designated individual, he or she should sign in the space provided. Your dependent children who are 18 years of age or older must complete their own copy of this form if they wish to authorize CIC and CBSA to release their information to a designated individual.

The individual you designate will be able to obtain information such as the status of your application and will be able to change your address if you move. However, he or she will not be a representative who can conduct business with CIC and CBSA on your behalf. If you wish to be represented, you must complete and submit form *Use of a Representative* (IMM 5476).

Choose one

- ☐ I authorize Citizenship and Immigration Canada and Canada Border Services Agency to release information from my case file to the following individual.
- ☐ I withdraw my authorization to release information from my case file to the following individual.

5. Your designated individual's full name

Family name (Surname)
Given name(s)
Given name(s)

1. Your full name

Family name (Surname)
Given name(s)
Given name(s)

2. Your date of birth

Date (YYYY-MM-DD)

3. If you have already submitted your application:

Name of office where the application was submitted
Location of office
Type of application (permanent residence, extension of study permit, etc.)

4. Your Client identification (ID) or Unique Client Identifier (UCI) number Identification number (if known)

6. Your designated individual's contact information

Name of firm or organization (if applicable)	
Mailing address	
City	Province/State/Territory
Country	Postal code/Zip
Country Code	Area Code and Telephone number
Country Code	Area Code and Fax number
E-mail address (if applicable)	

7. Your declaration

- I understand the following statements, having asked for and obtained an explanation for every point that was not clear to me.

If you are giving your authorization

- I authorize Citizenship and Immigration Canada and Canada Border Services Agency to release information from my case file to the individual named above.
- I understand that this consent only allows the disclosure of my personal information and that of my dependent children under 18 years of age.
- I am aware that some information may not be released if it is subject to exemption under the *Privacy Act* or the *Access to Information Act*.
- I further authorize the designated individual to update the address listed in my file, as required.

If you are withdrawing your authorization

- I withdraw my authorization to release information from my case file to the individual named above.

Signature of
applicantDate
(YYYY-MM-DD)Signature of spouse or
common-law partner
(if applicable)Date
(YYYY-MM-DD)

If you have not yet submitted your application:
If you have already submitted your application:

Send this form along with your application to the office listed in your respective application kit.
Send this form to the office where you submitted your original application.

The information you provide on this form is collected under the authority of the *Privacy Act* and will be used in assessing your request according to the requirements of the Act. It will be retained in a Personal Information Bank identified in *Infosource*. It may be shared with other organizations in accordance with the consistent use of information under the *Privacy Act*. Under the *Privacy Act* and the *Access to Information Act* individuals have the right to protection of and access to their personal information. Details on these matters are available at infosource.gc.ca. *Infosource* is also available in Canadian public libraries.

Kelly, Sharon

From: Salois, Denis
Sent: September 20, 2016 01:35 PM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2016-00691 PO approval
Attachments: Goto Record 34223 in database 1.ccm

From: Salois, Denis Sent: 2016/09/20 01:34:33 PM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00691.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2016/09/20

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

File/Docket No. - No dossier

CBSA: 2016-00691

PSC: ~~CDL4004900RD~~

SERVICES AGE

PRESIDENT'S OFFICE

2016 SEP 20 13 : 57

AGENCE DES SERVICES

FRONTALIER

DU CANADA

CHANCELLER

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning : who was found to be inadmissible to Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

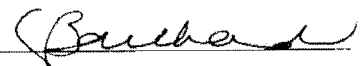
Other / Autre

☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	20/09/16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000138



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-00691
PSC: GDL-005913

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning
Canada.

who was found to be inadmissible to

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <u>Nina Eguren</u> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Sept. 19/16

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

000139

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

Thank you for your correspondence of August 8, 2016, concerning
who was found to be inadmissible to Canada.

The *Privacy Act* prohibits me from commenting on this case or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at **www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf**. In the meantime, I can provide you with the following general information.

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Canada

- 2 -

Foreign nationals can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Information on overcoming criminal inadmissibility to Canada is also available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

SEP 26 2016

Mr.

Dear Mr.

Thank you for your correspondence of August 8, 2016, concerning
who was found to be inadmissible to Canada.

The *Privacy Act* prohibits me from commenting on this case or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

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Canada

000143

- 2 -

Foreign nationals can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Information on overcoming criminal inadmissibility to Canada is also available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

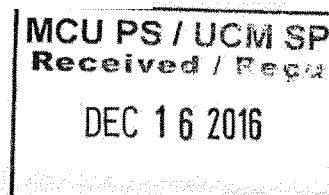
Thank you again for writing.

A handwritten signature in black ink, appearing to read 'Ralph Goodale', is written above the typed name.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

November 2, 2016



Minister of Public Safety and Emergency Preparedness
Honorable Ralph Goodale
House of Commons
Ottawa, Ontario
K1A 0A6

Dear, Minister Goodale

I received your letter in response to my inquiries (copy attached), I appreciate your concern in helping me.

I also include an Authority to Release Personal Information document that you suggested I obtain from the person I am inquiring about.

As outlined in my previous letter (copy attached) I am trying to get clarification on the law as it pertains to Criminal Inadmissibility and Deemed Rehabilitated.

The issue is 3 Driving under the influence all misdemeanors under US law

As stated before no one at CBSA or the Government website clearly explains this.

My friend would like to visit me and even though she may make application at a port of entry as your letter stipulates, she had been threatened with jail if she tries.

Again any help in this matter is greatly appreciated. And once again I am humbly asking for a Minister Letter to give her permission to enter as visitor.

I can provide you with further personnel information at your request.

Thank-you for taking the time to hear my plea.

DOC.	MDL-008446
OP/BPR	CBSA
D.D./D.E.	1/19/2017
ACTION	Reply
FILE #/DOSSIER	8m.8
Xref: MDL-005913	

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

SEP 26 2016

Mr.

COPY

Dear Mr.

Thank you for your correspondence of August 8, 2016, concerning
who was found to be inadmissible to Canada.

The *Privacy Act* prohibits me from commenting on this case or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

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Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

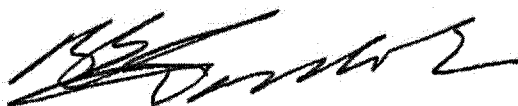
- 2 -

Foreign nationals can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

Information on overcoming criminal inadmissibility to Canada is also available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.



The Honourable Ralph Goodale, P.C., M.P.

COPY

Enclosure

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL-008446 / GREEN /

X REF. # GDL-005913/16-00691

CBSA-ASFC # 2016-01029

SECURITY:

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : January 19, 2017

SUBJECT / OBJET: writes further regarding friend denied entry into
Canada due to drunk driving convictions-DUI. (Completed Privacy IMM5475 form
included.)

ISSUE / QUESTION: Driving under the Influence/Admissibility

CBSA BRANCH DISTRIBUTION / ACTION:

- ☒ Operations / Opérations
☐ Programs / Programmes
☐ Technology / Technologic
☐ Human Resources / Ressources humaines
☐ Comptrollership / Contrôle
☐ Corporate Affairs / Services corporatifs

TASK

- ☒ Input / fournir des renseignements
☐ Information Only / à titre d'information seulement
☐ Information and Action / Pour votre suivi

Comments / Commentaires

Please let us know within 24 hours if this should be tasked to another branch for input.

Dec 14/16 Date Rec'd at MCU/PS

Dec 19/16 Date Rec'd at MINCOR/CBSA

Dec 19/16 Date Assessed SA

Dec 20/16 Date Entered in ccm DB

To: Alves, Jessica[Jessica.Alves@cbsa-asfc.gc.ca]; Alie, Manon[Manon.Alie@cbsa-asfc.gc.ca]; St-Louis, Roxanne[Roxanne.St-Louis@cbsa-asfc.gc.ca]; Conroy, Samantha[Samantha.Conroy@cbsa-asfc.gc.ca]
Sent: Tue 12/20/2016 2:34:20 PM
From: Salois, Denis
Flag Status: 0x00000000
Subject: 2016-01029 Input

Goto Record 34602 in database 1.ccm

From: Salois, Denis Sent: 2016/12/20 09:34:20 AM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-01029.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2017/01/06

Any related documents are in the following folder / Les documents seront dans le dossier:



Canada Border Services Agency
Agence des services frontaliers du Canada

Office of the Regional Director General
Southern Ontario Region
Operations Branch

Protected B

Ministerial Input

Date: January 3, 2017

Reference: CBSA/ASFC-16-01029

Issue: has written to the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, regarding a third party and friend, Mr. states that Ms. has three Driving under the Influence misdemeanors under United States law. Mr. is trying to obtain clarification on the law as it pertains to Criminal Inadmissibility and Deemed Rehabilitation. Ms. would like to visit and Mr. is asking for a Minister's letter to give her permission to enter Canada as a visitor.

Background – The following information is for internal CBSA use only and has not been approved for external exposure:

- A query of the Canada Border Services Agency's (CBSA's) Integrated Customs Enforcement System (ICES) Traveller History indicates that was seeking entry to Canada at the Blue Water Bridge in Sarnia, Ontario
- Ms. was examined by CBSA officers and was found to be criminally inadmissible as she has at least two convictions for impaired driving offences;
- Ms. was fully counselled by the examining officer, issued an Allowed to Leave and returned to the United States;
- again sought entry to Canada at the Ambassador Bridge in Windsor, Ontario;
- Ms. was examined and was found to have two convictions in the state of Michigan;
- was convicted in the 35th District Court in Plymouth, Michigan of a Traffic Offence;
- was convicted in the 35th District Court in Plymouth, Michigan of Operating Under the Influence;
- Ms. also admitted to a third conviction
- Ms. was fully counselled by officers that she requires a Temporary Resident Permit (TRP) before any subsequent visits to Canada. Ms. was given written instructions to apply to the Consulate General of Canada;
- A query of the Global Case Management System (GCMS) was conducted and there is no information indicating that has ever applied to the Consulate General of Canada for a TRP;

- **Ms. is not eligible for Deemed Rehabilitation as she has been convicted outside of Canada of more than one offence that is equivalent in Canada to an indictable offence with a maximum punishment of less than ten years;**
- **Ms. may be eligible for Criminal Rehabilitation however she has not applied and been granted rehabilitation therefore she is currently inadmissible;**
- **In order for a CBSA officer or a Visa Officer to make a determination if Ms. is eligible to make an application for Criminal Rehabilitation or a TRP, she should obtain all necessary court documentation and criminal checks;**
- **Information regarding Criminal Rehabilitation is available at:
www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp#5312E4**
- **Information regarding TRP's is available at:
www.cic.gc.ca/english/information/inadmissibility/permits.asp**

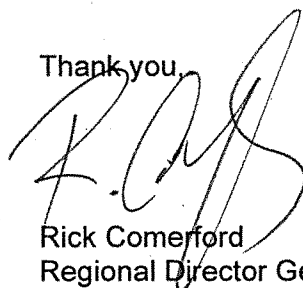
Conclusions/Recommendations:

- **Rehabilitation means that a person is not likely to commit new crimes;**
- **A person can apply for individual rehabilitation to enter Canada. The Minister, or their delegate, may decide to grant it or not. To apply, a person must:**
 - **show that they meet the criteria;**
 - **have been rehabilitated; and,**
 - **be highly unlikely to take part in further crimes.**
- **Also, at least five years must have passed since:**
 - **the end of the person's criminal sentence (this includes probation); and,**
 - **the day the person committed the act that made them inadmissible.**
- **If a person is submitting a separate application for criminal rehabilitation, the person must complete the application and submit it directly to the visa office responsible for their region by mail or courier only. The person must also pay a processing fee;**
- **To be eligible for a TRP, a person's need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer (BSO). Even if the reason a person is inadmissible seems minor, the person must demonstrate that their visit is justified;**
- **A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit, or get a new permit before the current one expires;**
- **A TRP may be cancelled by an officer at any time. The TRP is no longer valid once the person leaves Canada, unless the person has specifically been authorized to leave and re-enter;**
- **Normally, if a person has been convicted of an offence, such as mischief or driving under the influence, the person cannot enter Canada without a TRP;**
- **The processing fee for a TRP is \$200 Canadian funds; and,**

- If Ms. [redacted] has a valid reason to travel to Canada, she can apply for a TRP however there is no guarantee the application will be granted.

Please contact the undersigned if you require more information.

Thank you,

A handwritten signature in black ink, appearing to read 'R. Comerford', is written over the printed name and title.

Rick Comerford
Regional Director General
Southern Ontario Region

Mr.

Dear Mr.

Thank you for your follow-up correspondence of November 2, 2016, concerning Ms.

As you have provided a signed and dated copy of the required form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) from Ms. I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the *Privacy Act*, it may not be shared without her written consent.

Upon receipt of your correspondence, I asked Canada Border Services Agency (CBSA) officials to look into this matter. I am advised that Ms. sought entry into Canada at the Sarnia (Blue Water Bridge), Ontario, port of entry. Upon examination, CBSA officers determined Ms. to be criminally inadmissible due her convictions in the United States for impaired driving offences and Ms. I was fully counselled by the examining officer and allowed to voluntarily withdraw her application to enter Canada.

I am further advised that upon seeking entry at the Ambassador Bridge port of entry in Windsor, Ontario, Ms. admitted to a third conviction

Ms. is not eligible for deemed rehabilitation as she has been convicted outside of Canada of more than one offence that is equivalent in Canada to an indictable offence with a maximum punishment of less than 10 years. She may be eligible for individual rehabilitation; however, there is no record of her having applied. For this type of rehabilitation to be granted, the applicant must show that he/she meets the criteria and is not likely to commit new crimes.

If Ms. wishes to apply for individual rehabilitation, she must submit her application to the Consulate General of Canada in her region by mail or courier only.

I understand that Ms. was fully counselled by CBSA officers that, as a criminally inadmissible foreign national, she requires a temporary resident permit (TRP) before any subsequent visits to Canada. She was also given written instructions to apply for a TRP to the Consulate General of Canada in her region.

To be eligible for a TRP, a person's need to enter or stay in Canada must

000156

- 2 -

outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer. Even if the reason a person is inadmissible seems minor, he/she must demonstrate that his/her visit is justified. A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit or get a new permit before the current one expires.

Information about overcoming criminal inadmissibility is available on the Immigration, Refugees and Citizenship website at **[www.cic.gc.ca/english/information/applications/guides/ 5312ETOC.asp](http://www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp)**. For additional information about TRPs, please visit **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

January 12, 2017 (km)

Writer: Neil Kennedy (954-7142)

CBSA: 2016-01029

Mr. |

Dear Mr.

Thank you for your follow-up correspondence of November 2, 2016, concerning Ms.

As you have provided a signed and dated copy of the required form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) from Ms. I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the *Privacy Act*, it may not be shared without her written consent.

Upon receipt of your correspondence, I asked Canada Border Services Agency (CBSA) officials to look into this matter. I am advised that , Ms. sought entry into Canada at the Sarnia (Blue Water Bridge), Ontario, port of entry. Upon examination, CBSA officers determined Ms. to be criminally inadmissible due her convictions in the United States for impaired driving offences and Ms. was fully counselled by the examining officer and allowed to voluntarily withdraw her application to enter Canada.

I am further advised that upon seeking entry at the Ambassador Bridge port of entry in Windsor, Ontario, Ms. admitted to a third conviction

Ms. is not eligible for deemed rehabilitation as she has been convicted outside of Canada of more than one offence that is equivalent in Canada to an indictable offence with a maximum punishment of less than 10 years. She may be eligible for individual rehabilitation; however there is no record of her having applied. For this type of rehabilitation to be granted, the applicant must show that he/she meets the criteria and is not likely to commit new crimes.

If Ms. wishes to apply for individual rehabilitation, she must submit her application to the Consulate General of Canada in her region by mail or courier only.

I understand that Ms. was fully counselled by CBSA officers that, as a criminally inadmissible foreign national, she requires a temporary resident permit (TRP) before any subsequent visits to Canada. She was also given written instructions to apply for a TRP to the Consulate General of Canada in her region.

To be eligible for a TRP, a person's need to enter or stay in Canada must

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- 2 -

outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer. Even if the reason a person is inadmissible seems minor, he/she must demonstrate that his/her visit is justified. A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit or get a new permit before the current one expires.

Information about overcoming criminal inadmissibility is available on the Immigration, Refugees and Citizenship website at **[www.cic.gc.ca/english/information/applications/guides/ 5312ETOC.asp](http://www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp)**. For additional information about TRPs, please visit **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

January 12, 2017 (km)

Writer: Neil Kennedy (954-7142)

CBSA: 2016-01029

Mr.

Dear Mr.

Thank you for your follow-up correspondence of November 2, 2016, concerning Ms.

As you have provided a signed and dated copy of the required form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) from Ms. I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the *Privacy Act*, it may not be shared without her written consent.

Upon receipt of your correspondence, I asked Canada Border Services Agency (CBSA) officials to look into this matter. I am advised that Ms. sought entry into Canada at the Sarnia (Blue Water Bridge), Ontario, port of entry.

Upon examination, CBSA officers determined Ms. to be criminally inadmissible due her convictions in the United States for impaired driving offences and Ms. was fully counselled by the examining officer and allowed to voluntarily withdraw her application to enter Canada. , upon seeking entry at the Ambassador Bridge port of entry in Windsor, Ontario, Ms. admitted to a third conviction

Ms. is not eligible for deemed rehabilitation as she has been convicted outside of Canada of more than one offence that is equivalent in Canada to an indictable offence with a maximum punishment of less than 10 years. She may be eligible for individual rehabilitation; however there is no record of her having applied. For this type of rehabilitation to be granted, the applicant must show that he/she meets the criteria and is not likely to commit new crimes. Information about overcoming criminal inadmissibility is available at www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp.

If Ms. wishes to apply for individual rehabilitation, she must submit her application to the visa office responsible for her region by mail or courier only.

I understand that Ms. was fully counselled by CBSA officers that, as a criminally inadmissible foreign national, she requires a temporary resident permit (TRP) before any subsequent visits to Canada. She was also given written instructions to apply to the Consulate General of Canada in her region.

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- 2 -

To be eligible for a TRP, a person's need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer. Even if the reason a person is inadmissible seems minor, he/she must demonstrate that his/her visit is justified. A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit or get a new permit before the current one expires. For additional information about TRPs, please visit **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

January 10, 2017

Writer: Neil Kennedy (954-7142)

CBSA: 2016-01029

Mr.

Dear Mr.

Thank you for your follow-up correspondence received December 16, 2016, concerning Ms.

As you have provided a signed and dated copy of the required form, Authority to Release Personal Information to a Designated Individual (IMM 5475) from Ms. I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the Privacy Act, it may not be shared without her written consent.

Upon receipt of your correspondence, I asked Canada Border Services Agency (CBSA) officials to look into this matter. I am advised that Mr. sought entry into Canada at the Blue Water Bridge in Sarnia, Ontario.

Upon examination, CBSA officials determined Ms. to be criminally inadmissible due her convictions for impaired driving offences and Ms. was fully counselled by the examining officer, issued an allowed to leave and returned to the United States. upon seeking entry into Canada at the Ambassador Bridge in Windsor, Ontario, Ms. admitted to a third conviction

Ms. is not eligible for Deemed Rehabilitation as she has been convicted outside of Canada of more than one offence that is equivalent in Canada to an indictable offence with a maximum punishment of less than ten years.

She may be eligible for Criminal Rehabilitation, however she has not applied and been granted rehabilitation and is therefore currently inadmissible. Information regarding Criminal Rehabilitation is available at **www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp**.

Rehabilitation means that a person is not likely to commit new crimes. A person can apply for individual rehabilitation to enter Canada. The Minister, or their delegate, may decide to grant it or not. To apply, a person must show that they meet the criteria; have been rehabilitated; and, be highly unlikely to take part in further crimes.

Also, at least five years must have passed since the end of the person's criminal sentence (this includes probation); and, the day the person committed the act that made them inadmissible. If a person is submitting a separate application for criminal rehabilitation, the person must complete the

- 2 -

application and submit it directly to the visa office responsible for their region by mail or courier only. The person must also pay a processing fee.

Ms. was fully counselled by officers that she requires a Temporary Resident Permit (TRP) before any subsequent visits to Canada. Ms. was given written instructions to apply to the Consulate General of Canada. Information regarding TRP's is available at **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

To be eligible for a TRP, a person's need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer. Even if the reason a person is inadmissible seems minor, the person must demonstrate that their visit is justified. A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit, or get a new permit before the current one expires. A TRP may be cancelled by an officer at any time. The TRP is no longer valid once the person leaves Canada, unless the person has specifically been authorized to leave and re-enter.

Normally, if a person has been convicted of an offence, such as mischief or driving under the influence, the person cannot enter Canada without a TRP. The processing fee for a TRP is \$200 Canadian funds.

If Ms. has a valid reason to travel to Canada, she can apply for a TRP however there is no guarantee the application will be granted.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: January 12, 2017 02:34 PM
To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; Conroy, Samantha
Subject: 2016-01029 VP approval
Attachments: Goto Record 34602 in database 1.ccm

From: Salois, Denis Sent: 2017/01/12 02:34:15 PM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-01029.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2017/01/16

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
 CBSA: 2016-01029
 PSC: GDL-008446

**AGENCY FICHE
 APPROVAL D'APPROBATION
 FORM POUR LES
 ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning Ms.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) for <u>Karen J. Mayer</u> Nina Eggen	Manager, Correspondence, Briefings and Invitations Unit	Jan. 12/17
(for approval) <u>Caroline Xavier</u>	Vice-President, Operations Branch	JAN 12 2017

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

Thank you for your follow-up correspondence of November 2, 2016, concerning Ms.

As you have provided a signed and dated copy of the required form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) from Ms. I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the *Privacy Act*, it may not be shared without her written consent.

Upon receipt of your correspondence, I asked Canada Border Services Agency (CBSA) officials to look into this matter. I am advised that Ms. sought entry into Canada at the Sarnia (Blue Water Bridge), Ontario, port of entry. Upon examination, CBSA officers determined Ms. to be criminally inadmissible due her convictions in the United States for impaired driving offences and Ms. was fully counselled by the examining officer and allowed to voluntarily withdraw her application to enter Canada.

I am further advised that Ms. upon seeking entry at the Ambassador Bridge port of entry in Windsor, Ontario, Ms. admitted to a third conviction

Ms. is not eligible for deemed rehabilitation as she has been convicted outside of Canada of more than one offence that is equivalent in Canada to an indictable offence with a maximum punishment of less than 10 years. She may be eligible for individual rehabilitation; however, there is no record of her having applied. For this type of rehabilitation to be granted, the applicant must show that he/she meets the criteria and is not likely to commit new crimes.

Canada

- 2 -

If Ms. _____ wishes to apply for individual rehabilitation, she must submit her application to the Consulate General of Canada in her region by mail or courier only.

I understand that Ms. _____ was fully counselled by CBSA officers that, as a criminally inadmissible foreign national, she requires a temporary resident permit (TRP) before any subsequent visits to Canada. She was also given written instructions to apply for a TRP to the Consulate General of Canada in her region.

To be eligible for a TRP, a person's need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer. Even if the reason a person is inadmissible seems minor, he/she must demonstrate that his/her visit is justified. A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit or get a new permit before the current one expires.

Information about overcoming criminal inadmissibility is available on the Immigration, Refugees and Citizenship website at **www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp**. For additional information about TRPs, please visit **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-01029
PSC: GDL-008446

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning Ms.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <i>Nina Eguren</i> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Jan 12 / 17
(for approval) <i>Caroline Xavier</i> Caroline Xavier	Vice-President, Operations Branch	JAN 12 2017

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor

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Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2016-01029
PSC: GDL-008446

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À: The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning Ms.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐


Other / Autre

☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	13-01-17

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000169

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

Thank you for your follow-up correspondence of November 2, 2016, concerning Ms.

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Canada

000170

- 2 -

If Ms. _____ wishes to apply for individual rehabilitation, she must submit her application to the Consulate General of Canada in her region by mail or courier only.

I understand that Ms. _____ was fully counselled by CBSA officers that, as a criminally inadmissible foreign national, she requires a temporary resident permit (TRP) before any subsequent visits to Canada. She was also given written instructions to apply for a TRP to the Consulate General of Canada in her region.

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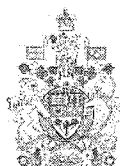
Information about overcoming criminal inadmissibility is available on the Immigration, Refugees and Citizenship website at **[www.cic.gc.ca/english/information/applications/guides/ 5312ETOC.asp](http://www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp)**. For additional information about TRPs, please visit **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

JAN 24 2017

Mr.

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Canada

000172

- 2 -

If Ms. _____ wishes to apply for individual rehabilitation, she must submit her application to the Consulate General of Canada in her region by mail or courier only.

I understand that Ms. _____ was fully counselled by CBSA officers that, as a criminally inadmissible foreign national, she requires a temporary resident permit (TRP) before any subsequent visits to Canada. She was also given written instructions to apply for a TRP to the Consulate General of Canada in her region.

To be eligible for a TRP, a person's need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer. Even if the reason a person is inadmissible seems minor, he/she must demonstrate that his/her visit is justified. A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit or get a new permit before the current one expires.

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Thank you again for writing.

Yours sincerely,



The Honourable Ralph Goodale, P.C., M.P.

From: Prime Minister/Premier Ministre
To:
Cc: Public Safety MCU / Sécurité publique UCM (PS/SP)
Subject: Office of the Prime Minister / Cabinet du Premier ministre
Date: Monday, February 06, 2017 4:00:33 PM

DOC: GDL009256

OP/BPR CBSA

D.D./D.E. 3/9/17

ACTION REPLY

FILE ### DOSSIER 8000-/

Dear Mr.

On behalf of the Right Honourable Justin Trudeau, I would like to acknowledge receipt of your correspondence, in which you raised an issue that falls within the portfolio of the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness.

I can appreciate why you have written to the Prime Minister for assistance. Please be assured that your comments have been carefully reviewed. I have taken the liberty of forwarding your e-mail to Minister Goodale, for his information and consideration. You may have to retain legal counsel to advise you.

Thank you for writing to the Prime Minister.

M. Bredeson
Executive Correspondence Officer
for the Prime Minister's Office
Agent de correspondance
de la haute direction pour le Cabinet du Premier ministre

>>> From : Received : 31 Jan 2017 06:44:53 PM >>>

>>> Subject : PM Web Site Comments - Immigration, Refugees and Citizenship >>>>

Subject/Sujet : Immigration, Refugees and Citizenship

Date : 2017/01/31

Name/Nom :

E-Mail/Adresse électronique :

Address/Adresse :

City/Adresse :

Province :

Postal Code/Code postal :

Telephone/Téléphone :

Comments/Commentaires : Dear Sir Justin Trudeau,
I would like to introduce myself.

Later my Uncle homesteaded
, Alberta Sir, I have a question and a situation I need your
help and your Canadian Government help with.
I got and I deserved a driving while intoxicated. I crossed
the border last year and I was told I could be and should be
arrested for entering Canada. I was detained with my family for about 45
minutes then told to return to the U.S. and not return to Canada. Mr.
Trudeau, Can you or someone help me get this resolved? What paper work do I
need from your Government? I am deeply regretful for my actions of driving
while impaired

My question and request is, Mr. Prime Minister, Can I please cross the border
to shop and visit with my family? Maybe even one day when we can afford it to

see my cousins that live
don't know what to do.
Thank you.

Alberta. I need your help, I

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL009256/ Green /

X REF. #

CBSA-ASFC # 2017-00096

SECURITY: U

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : March 9, 2017

SUBJECT / OBJET: PMO referral.
an impaired driving charge

writes regarding being turned away at the border due to

ISSUE / QUESTION: DRIVING UNDER THE INFLUENCE / ADMISSIBILITY

CBSA BRANCH DISTRIBUTION / ACTION:

- ☒ Operations / Opérations
☐ Programs / Programmes
☐ Technology / Technologie
☐ Human Resources / Ressources humaines
☐ Comptrollership / Contrôle
☐ Corporate Affairs / Services corporatifs

TASK

- ☒ Input / fournir des renseignements
☐ Information Only / à titre d'information seulement
☐ Information and Action / Pour votre suivi

Comments / Commentaires:

Please advise within 24 hours if this should be tasked to another area to provide input.

Feb 06/17 Date Rec'd at MCU/PS

Feb 08/17 Date Rec'd at MINCOR/CBSA

Feb 08/17 Date Assessed MBX

Feb-8/17 Date Entered in ccm DS

Kelly, Sharon

From: Salois, Denis
Sent: February 8, 2017 02:44 PM
To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; Conroy, Samantha
Subject: 2017-00096 Input
Attachments: Goto Record 34742 in database 1.ccm

From: Salois, Denis Sent: 2017/02/08 02:44:18 PM

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00096.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BOPS-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2017/02/22

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Charron3, Marc (PS/SP) <marc.charron3@canada.ca>
Sent: February 17, 2017 10:06 AM
To: Kelly, Sharon
Cc: Salois, Denis
Subject: Add-To-A- GDL009256
Attachments: Add-To-A - GDL009256.pdf

From: Charron3, Marc (PS/SP) Sent: 2017/02/17 10:06:16 AM
Add-To-A- GDL009256 attached.

Thank you,

Marc

Doc GDL009256-A

FILE ### DOSSIER 8000-8

COPY/COPIE CBSA

From: webmail@ps-sp.gc.ca
To: Public Safety MCU / Sécurité publique UCM (PS/SP)
Subject: Contact the Minister | Communiquer avec le ministre
Date: Tuesday, February 14, 2017 8:08:52 PM

Contact the Minister | Communiquer avec le ministre

First Name |
Prénom

Last Name | Nom

Title | Titre

Organization |
Organisme

Address | Adresse

Country | Pays

Province / State |
Province / état

City | Ville

Postal / Zip Code |
Code postal

Email | Courriel

Subject | Sujet

Visiting Canada

Comments |
Commentaires

I have been in correspondence with the office of the Prime Minister's Office and they gave me this email. Can you please help me? Here is the situation. I would like to introduce myself.

Later my Uncle homesteaded
 , Alberta Sir, I have a question and
 a situation I need your help and your Canadian
 Government help with. I got and I deserved a
 driving while intoxicated. I crossed the border
 last year and I was told I could be and
 should be arrested for entering Canada. I was detained
 with my family for about 45 minutes then told to return
 to the U.S. and not return to Canada. Mr. Trudeau, Can
 you or someone help me get this resolved? What paper
 work do I need from your Government? I am deeply
 regretful for my actions of driving while
 impaired

My question and request is, Mr. Prime Minister, Can I please cross the border to shop and visit with my family? Maybe even one day when we can afford it to see my cousins that live in Alberta. I need your help, I don't know what to do. Thank you,

MEMORANDUM

TO: Roxanne St-Louis
Jessica Alves

FROM: Kim R. Scoville

DATE: February 22, 2017

Subject: Ministerial Correspondence # 17-00096
Client name:

I would like to provide the following information concerning the above-noted correspondence from Mr.

- Mr. [redacted] wrote to the Right Honourable Justin Trudeau, Prime Minister of Canada, on January 31, 2017. His email was subsequently directly to the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, on February 6, 2017. In his correspondence, Mr. [redacted] discloses that [redacted] he was charged with driving while intoxicated in [redacted] United States (US). [redacted] he crossed the border and was advised that he could be arrested for entering Canada. He was detained for 45 minutes after which he was told to return to the US and not return to Canada. Mr. [redacted] states that he has not received a conviction since [redacted] He would like to know what he has to do to resolve this issue so that he can come to Canada to visit with family.
- Mr. [redacted] personal information, including details of past interactions with the Canada Border Services Agency (CBSA), is protected under the *Privacy Act*. Without further personal details to confirm his identity, such as date of birth, the CBSA will be unable to comment on Mr. [redacted] specific passages at Canadian port of entries (POEs).
- The CBSA will be able to provide a more detailed response to Mr. [redacted] concerns if he is able to supply his date of birth so that the Agency can confirm his identity.
- The *Immigration and Refugee Protection Act (IRPA)* governs the admission to Canada of all foreign nationals (FNs). In accordance with *IRPA*, Border Services Officers (BSOs) are responsible for ensuring FNs are in compliance with the requirements set out in the Act. More specifically, the traveller is obligated to satisfy an officer that they are not inadmissible and that their visit to Canada is genuine. In order for a BSO to negate all concerns, travellers arriving in Canada are expected to answer questions completely and truthfully.
- When a traveller is found to be inadmissible to Canada due to criminality, the BSO will discuss the reason for this determination and counsel the traveller on how he/she may pursue rehabilitation to overcome their inadmissibility. In some cases, the

traveller is required to apply for and obtain a waiver of rehabilitation via a Canadian consulate. FNs may also apply for rehabilitation through the Immigration, Refugee, and Citizenship Canada (IRCC) website at www.cic.gc.ca. Only after rehabilitation is granted may the traveller attempt to enter Canada. Upon arriving at the POE, the traveller must provide documentation showing that he/she is no longer inadmissible to Canada. Although documentation will assist the BSO in determining admissibility, it does not guarantee entry. A FN's admissibility is based on several factors and is determined by the BSO at the point of the FN's arrival in Canada. For more information on the requirements of non-Canadians to enter Canada, Mr. can visit the CBSA website at www.cbsa.gc.ca.

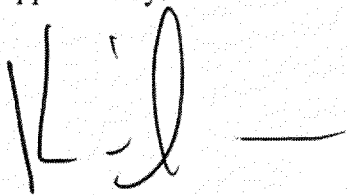
Background Information

"THE FOLLOWING INFORMATION IS FOR INTERNAL CBSA USE ONLY AND HAS NOT BEEN APPROVED FOR EXTERNAL EXPOSURE"

- *Based on the information provided by Mr. it is believed that he is Mr. who attempted to enter Canada through the Emerson POE During his examination, the BSO confirmed a number of criminal charges and convictions in the US:*
 - *Convicted of driving under the influence*
 - *Convicted of theft*
 - *Convicted of theft*
 - *Convicted of fraudulent long distance telephone calls*
 - *Charged with forgery and was issued a suspended sentence for five years*
- *The history of indictable convictions resulted in Mr. being found inadmissible to Canada due to criminality outside of Canada. Mr. was advised of the inadmissibility decision, was provided with a rehabilitation kit, and was counselled that he must apply for, and obtain, a waiver of rehabilitation via a Canadian consulate prior to returning to Canada.*
- *Mr. has not attempted to enter Canada since*
- *In his correspondence, Mr. states that he entered Canada was told he should be arrested, and was returned to the US. The CBSA does not have any record of Mr. legally entering Canada*

I trust the foregoing is helpful in responding to Mr. concerns.

Approved by:

A handwritten signature in black ink, appearing to be 'K. Scoville', followed by a horizontal line.

Kim R. Scoville
Regional Director General
Canada Border Services Agency
Prairie Region

Mr.

Dear Mr.

On February 6, 2017, the Office of the Prime Minister forwarded to me your correspondence concerning your inadmissibility into Canada. I am also in receipt of your follow-up correspondence of February 14, 2017.

In order to look into your concerns, the Canada Border Services Agency (CBSA) requires more specific details about you, such as your full name as it appears on your passport and your date of birth. If you wish to pursue this matter further, please provide me with this information and I will forward it to the appropriate CBSA officials for review. In the meantime, I can share the following general information.

The *Immigration and Refugee Protection Act* (IRPA) governs the admission to Canada of all foreign nationals. In accordance with IRPA, border services officers (BSOs) are responsible for ensuring that travellers are in compliance with the requirements set out in the Act. More specifically, individuals are obligated to satisfy an officer that they are not inadmissible and that their visit to Canada is genuine. In order for a BSO to negate all concerns, travellers arriving in Canada are expected to answer questions completely and truthfully.

When a traveller is found to be inadmissible to Canada due to criminality, the BSO will discuss the reason for this determination and counsel the traveller on how he/she may pursue rehabilitation to overcome his/her inadmissibility. In some cases, the traveller is required to apply for and obtain individual rehabilitation via a Canadian visa office. For more information, please visit the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/inadmissibility/conviction.asp**.

Only after rehabilitation is granted may the traveller seek entry into Canada. Upon arriving at a POE, the traveller must provide documentation showing that he/she is no longer inadmissible to Canada. Although documentation will assist the BSO in determining admissibility, it does not guarantee entry.

- 2 -

An individual's admissibility is based on several factors and is determined by the BSO at the point of the foreign national's arrival in Canada. Additional information on requirements to enter Canada is available on the CBSA website **www.cbsa.gc.ca**.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

February 23, 2017 - Clean Draft

Mr.

Dear Mr.

On February 6, 2017, the Office of the Prime Minister forwarded to me your correspondence concerning your inadmissibility into Canada. I am also in receipt of your follow-up correspondence of February 14, 2017.

In order to look into your concerns, the Canada Border Services Agency (CBSA) requires more specific details about you, such as your full name as it appears on your passport and your date of birth. If you wish to pursue this matter further, please provide me with this information and I will forward it to the appropriate CBSA officials for review. In the meantime, I can share the following general information.

The *Immigration and Refugee Protection Act* (IRPA) governs the admission to Canada of all foreign nationals. In accordance with IRPA, border services officers (BSOs) are responsible for ensuring that travellers are in compliance with the requirements set out in the Act. More specifically, individuals are obligated to satisfy an officer that they are not inadmissible and that their visit to Canada is genuine. In order for a BSO to negate all concerns, travellers arriving in Canada are expected to answer questions completely and truthfully.

When a traveller is found to be inadmissible to Canada due to criminality, the BSO will discuss the reason for this determination and counsel the traveller on how he/she may pursue rehabilitation to overcome his/her inadmissibility. In some cases, the traveller is required to apply for and obtain individual rehabilitation via a Canadian visa office. For more information, please visit the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/inadmissibility/conviction.asp**.

Only after rehabilitation is granted may the traveller seek entry into Canada. Upon arriving at a POE, the traveller must provide documentation showing that he/she is no longer inadmissible to Canada. Although documentation will assist the BSO in determining admissibility, it does not guarantee entry.

- 2 -

An individual's admissibility is based on several factors and is determined by the BSO at the point of the foreign national's arrival in Canada. Additional information on requirements to enter Canada is available on the CBSA website **www.cbsa.gc.ca**.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

February 22, 2017

Writer: Neil Kennedy (954-7142)
CBSA: 2017-00096

Mr.

Dear Mr.

On February 6, 2017, the Office of the Prime Minister forwarded to me your correspondence concerning your inadmissibility into Canada. I am also in receipt of your follow-up correspondence to me of February 14, 2017.

Upon receipt of your correspondence, I asked Canada Border Services Agency (CBSA) officials to look into your concerns. Without further personal details to confirm your identity, such as date of birth, the provisions of the *Privacy Act* prohibit me from commenting on specific passages at Canadian port of entries (POEs). The CBSA will be able to provide a more detailed response to your concerns if you supply your date of birth. I am able however, to provide some general information on the matter.

The *Immigration and Refugee Protection Act (IRPA)* governs the admission to Canada of all foreign nationals (FNs). In accordance with *IRPA*, Border services officers (BSOs) are responsible for ensuring travellers are in compliance with the requirements set out in the Act. More specifically, the individual is obligated to satisfy an officer that they are not inadmissible and that their visit to Canada is genuine. In order for a BSO to negate all concerns, travellers arriving in Canada are expected to answer questions completely and truthfully.

When a traveller is found to be inadmissible to Canada due to criminality, the BSO will discuss the reason for this determination and counsel the traveller on how he/she may pursue rehabilitation to overcome their inadmissibility. In some cases, the traveller is required to apply for and obtain a waiver of rehabilitation via a Canadian consulate. FNs may also apply for rehabilitation at Immigration, Refugee, and Citizenship Canada website **www.cic.gc.ca**.

Only after rehabilitation is granted may the traveller seek entry into Canada. Upon arriving at the POE, the traveller must provide documentation showing that he/she is no longer inadmissible to Canada. Although documentation will assist the BSO in determining admissibility, it does not guarantee entry.

An individual's admissibility is based on several factors and is determined by the BSO at the point of the FN's arrival in Canada. Additional information on requirements to enter Canada is available at CBSA website **www.cbsa.gc.ca**.

Thank you for writing.

Yours sincerely,

- 2 -

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: February 23, 2017 11:25 AM
To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; Conroy, Samantha
Subject: 2017-00096 VP approval
Attachments: Goto Record 34742 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00096.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2017/02/27

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00096
PSC: GDL-009256

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À: The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning his inadmissibility into Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>Karen D. Mayer</i> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Feb 03/17
(for approval) <i>Caroline Xavier</i> Caroline Xavier	Vice-President, Operations Branch	FEB 27 2017

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000191



Minister of Public Safety

Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

On February 6, 2017, the Office of the Prime Minister forwarded to me your correspondence concerning your inadmissibility into Canada. I am also in receipt of your follow-up correspondence of February 14, 2017.

In order to look into your concerns, the Canada Border Services Agency (CBSA) requires more specific details about you, such as your full name as it appears on your passport and your date of birth. If you wish to pursue this matter further, please provide me with this information and I will forward it to the appropriate CBSA officials for review. In the meantime, I can share the following general information.

The *Immigration and Refugee Protection Act* (IRPA) governs the admission to Canada of all foreign nationals. In accordance with IRPA, border services officers (BSOs) are responsible for ensuring that travellers are in compliance with the requirements set out in the Act. More specifically, individuals are obligated to satisfy an officer that they are not inadmissible and that their visit to Canada is genuine. In order for a BSO to negate all concerns, travellers arriving in Canada are expected to answer questions completely and truthfully.

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Only after rehabilitation is granted may the traveller seek entry into Canada. Upon arriving at a POE, the traveller must provide documentation showing that he/she is no longer inadmissible to Canada. Although documentation will assist the BSO in determining admissibility, it does not guarantee entry.

Canada

- 2 -

An individual's admissibility is based on several factors and is determined by the BSO at the point of the foreign national's arrival in Canada. Additional information on requirements to enter Canada is available on the CBSA website **www.cbsa.gc.ca**.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: February 28, 2017 09:25 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2017-00096 PO approval
Attachments: Goto Record 34742 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00096.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2017/02/28

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00096
PSC: GDL-009256

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning his inadmissibility into Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>Karen J. Mayer</i> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Feb. 23/17
(for approval) <i>Caroline Xavier</i> Caroline Xavier	Vice-President, Operations Branch	FEB 27 2017

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2017-00096
PSC: GDL-009256

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À: The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning his inadmissibility into Canada.

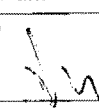
Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐Other / Autre ☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	Feb 26, 2012

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

On February 6, 2017, the Office of the Prime Minister forwarded to me your correspondence concerning your inadmissibility into Canada. I am also in receipt of your follow-up correspondence of February 14, 2017.

In order to look into your concerns, the Canada Border Services Agency (CBSA) requires more specific details about you, such as your full name as it appears on your passport and your date of birth. If you wish to pursue this matter further, please provide me with this information and I will forward it to the appropriate CBSA officials for review. In the meantime, I can share the following general information.

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When a traveller is found to be inadmissible to Canada due to criminality, the BSO will discuss the reason for this determination and counsel the traveller on how he/she may pursue rehabilitation to overcome his/her inadmissibility. In some cases, the traveller is required to apply for and obtain individual rehabilitation via a Canadian visa office. For more information, please visit the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/inadmissibility/conviction.asp**.

Only after rehabilitation is granted may the traveller seek entry into Canada. Upon arriving at a POE, the traveller must provide documentation showing that he/she is no longer inadmissible to Canada. Although documentation will assist the BSO in determining admissibility, it does not guarantee entry.

Canada

- 2 -

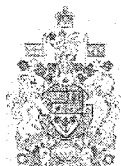
An individual's admissibility is based on several factors and is determined by the BSO at the point of the foreign national's arrival in Canada. Additional information on requirements to enter Canada is available on the CBSA website **www.cbsa.gc.ca**.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

MAR 2 9 2017

Mr.

Dear Mr.

On February 6, 2017, the Office of the Prime Minister forwarded to me your correspondence concerning your inadmissibility into Canada. I am also in receipt of your follow-up correspondence of February 14, 2017.

In order to look into your concerns, the Canada Border Services Agency (CBSA) requires more specific details about you, such as your full name as it appears on your passport and your date of birth. If you wish to pursue this matter further, please provide me with this information and I will forward it to the appropriate CBSA officials for review. In the meantime, I can share the following general information.

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When a traveller is found to be inadmissible to Canada due to criminality, the BSO will discuss the reason for this determination and counsel the traveller on how he/she may pursue rehabilitation to overcome his/her inadmissibility. In some cases, the traveller is required to apply for and obtain individual rehabilitation via a Canadian visa office. For more information, please visit the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/inadmissibility/conviction.asp**.

Only after rehabilitation is granted may the traveller seek entry into Canada. Upon arriving at a POE, the traveller must provide documentation showing that he/she is no longer inadmissible to Canada. Although documentation will assist the BSO in determining admissibility, it does not guarantee entry.

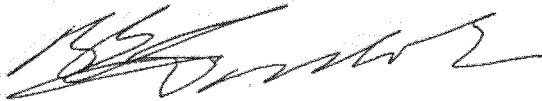
Canada

- 2 -

An individual's admissibility is based on several factors and is determined by the BSO at the point of the foreign national's arrival in Canada. Additional information on requirements to enter Canada is available on the CBSA website **www.cbsa.gc.ca**.

Thank you for writing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Goodale', written in a cursive style.

The Honourable Ralph Goodale, P.C., M.P.

April 12, 2017

Minister of Public Safety and Emergency Preparedness
Honorable Ralph Goodale
House of Commons
Ottawa, Ontario
K1A 0A6

Dear, Minister Goodale

I received your letter in response to my inquiries (copy attached), I appreciate your concern in helping me.

I must re-affirm my appreciation for you talking with me and providing a personal interest in helping. It is refreshing to have a Government that takes interest in its citizens.

I know you took the time to talk with CBSA with regards to criminal record and how it impacts her. One point that I need to clarify, conviction was not prosecuted as a third but rather a second conviction.

That aside, in your fifth paragraph where you outline the Canadian equivalent of the convictions as an indictable offence with a maximum punishment of less than 10 years is in accordance with section 255(2) of the criminal code. For 2 or more offences under section 253.1(a)(b) and if punished by indictment to a maximum of less than 5 years in accordance with section 255(1)(b).

I don't mean to quote any laws on you, but this seems relevant.

In the mean time we are preparing papers for a TRP. Also will face any legal or immigration consequences if she produces the TRP form at a port of entry,

Again your input and help is invaluable. Thank-you from both Nancy and I.

DOC.	ADL 011355
OPI/BPR	CBSA
D.D./D.E.	6/14/2017
ACTION	Reply
FILE #/DOSSIER	8000.8
Xref: ADL 008446	

MCU PS / UCM SP
Received / Reçu
MAY 12 2017

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

JAN 24 2017

Mr.

Dear Mr.

Thank you for your follow-up correspondence of November 2, 2016, concerning Ms.

As you have provided a signed and dated copy of the required form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) from Ms.

I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the *Privacy Act*, it may not be shared without her written consent.

Upon receipt of your correspondence, I asked Canada Border Services Agency (CBSA) officials to look into this matter. I am advised that

Ms. sought entry into Canada at the Sarnia (Blue Water Bridge), Ontario, port of entry. Upon examination, CBSA officers determined Ms. to be criminally inadmissible due her convictions in the United States for impaired driving offences (

and Ms. was fully counselled by the examining officer and allowed to voluntarily withdraw her application to enter Canada.

I am further advised that upon seeking entry at the Ambassador Bridge port of entry in Windsor, Ontario, Ms. admitted to a third conviction

Ms. is not eligible for deemed rehabilitation as she has been convicted outside of Canada of more than one offence that is equivalent in Canada to an indictable offence with a maximum punishment of less than 10 years. She may be eligible for individual rehabilitation; however, there is no record of her having applied. For this type of rehabilitation to be granted, the applicant must show that he/she meets the criteria and is not likely to commit new crimes.

Canada

- 2 -

If Ms. _____ wishes to apply for individual rehabilitation, she must submit her application to the Consulate General of Canada in her region by mail or courier only.

I understand that Ms. _____ was fully counselled by CBSA officers that, as a criminally inadmissible foreign national, she requires a temporary resident permit (TRP) before any subsequent visits to Canada. She was also given written instructions to apply for a TRP to the Consulate General of Canada in her region.

To be eligible for a TRP, a person's need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or border services officer. Even if the reason a person is inadmissible seems minor, he/she must demonstrate that his/her visit is justified. A permit is usually issued for the length of a person's visit to Canada and the person must leave Canada by the expiry date of the permit or get a new permit before the current one expires.

Information about overcoming criminal inadmissibility is available on the Immigration, Refugees and Citizenship website at www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp. For additional information about TRPs, please visit www.cic.gc.ca/english/information/inadmissibility/permits.asp.

Thank you again for writing.

Yours sincerely,



The Honourable Ralph Goodale, P.C., M.P.

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL011355 / Green /

X REF. # GDL008446

CBSA-ASFC # 2017-00429

SECURITY: U

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE: June 14, 2017

SUBJECT / OBJET: IMMIGRATION

ISSUE / QUESTION: writes further regarding points of law re:
inadmissibility into Canada due to DUI, and of presentation of TRP form at port of entry.

CBSA BRANCH DISTRIBUTION / ACTION:

- ☒ Operations / Opérations
☐ Programs / Programmes
☐ Technology / Technologie
☐ Human Resources / Ressources humaines
☐ Comptrollership / Contrôle
☐ Corporate Affairs / Services corporatifs /

TASK

- ☒ Input / fournir des renseignements
☐ Information Only / à titre d'information seulement
☐ Information and Action / Pour votre suivi

Comments / Commentaires:

Please advise within 24 hours if this should be tasked to another area to provide input.

May 12/17 Date Rec'd at MCU/PS

May 16/17 Date Rec'd at MINCOR/CBSA

May 16/17 Date Assessed ABK

May 16/17 Date Entered in cem DS

Kelly, Sharon

From: Salois, Denis
Sent: May 16, 2017 01:03 PM
To: Alves, Jessica; Oreto, Kevin; Conroy, Samantha; Hergholi Funes, Cethia
Subject: 2017-00429 Input
Attachments: Goto Record 35107 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00429.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BOPS-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2017/05/31

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Jack, Amanda
Sent: May 29, 2017 04:14 PM
To: Oreto, Kevin
Cc: Melchers, Chantal; Gareau, Andrée; Hergholi Funes, Cethia
Subject: FW: CBSA/ASFC-17-00429
Attachments: Incoming - GDL011355(1).pdf

Good Afternoon;

DG Approved.

- When an officer assesses criminal equivalency under the *Immigration and Refugee Protection Act* (IRPA), it is important to note that IRPA distinguishes between serious criminality under Section 36(1), defined as an offence punishable by a term of imprisonment of at least 10 years, and criminality under Section 36(2), defined as an indictable offence punishable by a term of imprisonment of less than 10 years.
- It should also be noted that Section 36(3)(a) of the IRPA states that an "offence that may be prosecuted either summarily or by way of indictment is deemed to be an indictable offence".
- With the information you have provided, it appears that Ms. _____ falls under A36(2) of IRPA for having two indictable offences punishable by terms of imprisonment of less than 10 years, which covers all indictable offences under this threshold.
- Should Ms. _____ be approved for a Temporary Resident Permit (TRP) by the Consulate General of Canada in her region, she will be provided an introduction letter to present to an officer at a port of entry.
- Once an officer at a port of entry has reviewed her file, and if there are no other admissibility concerns, she will be issued the TRP for entry into Canada. Please be aware that TRPs are generally only issued when the requirements are met, and may be denied if circumstances do not warrant issuance.
- An individual may also request or apply for a TRP at a port of entry in relation to their seeking entry to Canada. However, it should be noted that if an officer does not believe that the issuance of a TRP is warranted, an enforcement action may be taken against the individual, which could ultimately result in a removal order being issued.
- Please note that a positive individual rehabilitation decision will be a more permanent solution for entry into Canada, provided that no new inadmissibility concerns arise, as the current inadmissibilities will no longer bar her entry to Canada.
- Information about overcoming criminal inadmissibility is available on the Immigration, Refugees and Citizenship website at www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp. For additional information about TRPs please visit www.cic.gc.ca/english.information.inadmissibility.permits.asp.

Thank you,

Amanda Jack

A/Strategic Advisor-Director General's Office, Border Operations, Operations Branch

Canada Border Services Agency / Government of Canada
Amanda.Jack@cbsa-asfc.gc.ca / Tel : 613-954-7152 / TTY : 866-335-3237

Conseillère Stratégique par intérim-Bureau du directeur général, Direction des opérations frontalières, Direction
générale des opérations
Agence des services frontaliers du Canada / Gouvernement du Canada
Amanda.Jack@cbsa-asfc.gc.ca / Tél : 613-954-7152 / TTY : 866-335-3237

From: Oreto, Kevin
Sent: May 16, 2017 2:49 PM
To: Melchers, Chantal <Chantal.Melchers@cbsa-asfc.gc.ca>; Gareau, Andrée <Andree.Gareau@cbsa-asfc.gc.ca>; Jack,
Amanda <Amanda.Jack@cbsa-asfc.gc.ca>
Cc: Hergholi Funes, Cethia <Cethia.HergholiFunes@cbsa-asfc.gc.ca>
Subject: CBSA/ASFC-17-00429

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00429.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BOPS-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2017/05/31

Kelly, Sharon

From: Salois, Denis
Sent: June 1, 2017 10:16 AM
To: Alves, Jessica; Oreto, Kevin; Conroy, Samantha; Hergholi Funes, Cethia; Caple, Lesley
Subject: 2017-00429 VP approval
Attachments: Goto Record 35107 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00429.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2017/06/05

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00429
PSC: GDL-011355

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À: The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning Ms. |

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Karen J. Mayer</u> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	June 1/17
(for approval) <u>Caroline Xavier</u>	Vice-President, Operations Branch	JUN - 6 2017

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

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In addition, paragraph 36(3)(a) of IRPA states that an "offence that may be prosecuted either summarily or by way of indictment is deemed to be an indictable offence".

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Obtaining a positive individual rehabilitation decision would offer Ms. a more permanent solution to her current inadmissibility, providing no new admissibility concerns arise in the meantime. Further details on overcoming criminal inadmissibility can be found on the Immigration, Refugees and Citizenship website at www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp.

Canada

000210

- 2 -

Should Ms. [redacted] be approved for a temporary resident permit (TRP) by the Consulate General of Canada in her region, she will be provided with an introduction letter to present to a CBSA officer at a port of entry. Additional information on TRPs is available at **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

An individual may also ask or apply for a TRP at a port of entry when requesting entry into Canada. However, it is important to be aware that if the examining officer determines that the issuance of a TRP is unwarranted, an enforcement action may be taken against the individual, which could ultimately result in a removal order being issued.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: June 7, 2017 07:33 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2017-00429 PO approval
Attachments: Goto Record 35107 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00429.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2017/06/07

Any related documents are in the following folder / Les documents seront dans le dossier:

PO Comment
17-00429
7/6/17

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr,

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Canada

PO Comment
17-00429
7/6/17

- 2 -

Should Ms. be approved for a temporary resident permit (TRP) by the Consulate General of Canada in her region, she will be provided with an introduction letter to present to a CBSA officer at a port of entry. Additional information on TRPs is available at www.cic.gc.ca/english/information/inadmissibility/permits.asp.

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who
about
allowed
to leave?

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Kelly, Sharon
Sent: June 7, 2017 04:02 PM
To: Alves, Jessica; Conroy, Samantha; Hergholi Funes, Cethia; Caple, Lesley
Subject: 17-00429 ccmMercury Task _ tâche ccmMercury.txt
Attachments: Goto Record 35107 in database 1.ccm

Please refer to Child Comment for input required.
ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00429.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> ADDITIONAL INPUT ---> Notes: ---> Deadline/Date limite: 2017/06/09

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Jack, Amanda
Sent: June 12, 2017 10:11 AM
To: Caple, Lesley
Cc: Hergholi Funes, Cethia; Melchers, Chantal; Gareau, Andrée
Subject: FW: CBSA/ASFC-17-00429

EXD Approved.

Individuals who are inadmissible to Canada may apply for a TRP at a port of entry when requesting entry to Canada. It should be noted, border services officers will only issue a TRP in exceptional circumstances and when the need of the individual to enter or remain in Canada is compelling and sufficient to overcome any risks that they might pose. Additionally, it is important to be aware that each case is determined on a case by case basis and that the final determination rests with the border services officer at the port of entry. Should the TRP not be granted, the individual may be subject to further enforcement action by being issued an allowed leave up to being issued a removal order. Therefore, it is recommended that she submit her application for a TRP by contacting the Consulate General of Canada in her region.

Amanda Jack

A/Strategic Advisor-Director General's Office, Border Operations, Operations Branch
Canada Border Services Agency / Government of Canada
Amanda.Jack@cbsa-asfc.gc.ca / Tel : 613-954-7152 / TTY : 866-335-3237

Conseillère Stratégique par intérim-Bureau du directeur général, Direction des opérations frontalières, Direction générale des opérations
Agence des services frontaliers du Canada / Gouvernement du Canada
Amanda.Jack@cbsa-asfc.gc.ca / Tél : 613-954-7152 / TTY : 866-335-3237

From: Caple, Lesley
Sent: June 7, 2017 4:11 PM
To: Gareau, Andrée <Andree.Gareau@cbsa-asfc.gc.ca>; Jack, Amanda <Amanda.Jack@cbsa-asfc.gc.ca>; Melchers, Chantal <Chantal.Melchers@cbsa-asfc.gc.ca>
Cc: Hergholi Funes, Cethia <Cethia.HergholiFunes@cbsa-asfc.gc.ca>
Subject: CBSA/ASFC-17-00429

Please note following comment from PO:

With regard to a person requesting a TRP at a port of entry and possible related enforcement action, the President's office is asking "What about Allowed to Leave?"

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00429.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> ADDITIONAL INPUT ---> Notes: ---> Deadline/Date limite: 2017/06/09

Mr.

Dear Mr.

Thank you for your further follow-up correspondence of April 12, 2017, concerning Ms.

As you have provided a signed and dated copy of the required form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) from Ms. I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the *Privacy Act*, it may not be shared without her written consent.

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In addition, paragraph 36(3)(a) of IRPA states that an "offence that may be prosecuted either summarily or by way of indictment is deemed to be an indictable offence".

With the information you have provided, it appears that Ms. situation falls under subsection 36(2) of IRPA for having two indictable offences punishable by terms of imprisonment of less than 10 years, which covers all indictable offences under this threshold.

Obtaining a positive individual rehabilitation decision would offer Ms. a more permanent solution to her current inadmissibility, providing no new admissibility concerns arise in the meantime. Further details on overcoming criminal inadmissibility can be found on the Immigration, Refugees and Citizenship website at **www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp**.

- 2 -

Should Ms. be approved for a temporary resident permit (TRP) by the Consulate General of Canada in her region, she will be provided with an introduction letter to present to a CBSA officer at a port of entry (POE). Additional information on TRPs is available at www.cic.gc.ca/english/information/inadmissibility/permits.asp.

Individuals who are inadmissible to Canada may apply for a TRP at a port of entry when requesting entry to Canada. It should be noted that border services officers will only issue a TRP in exceptional circumstances and when the need of the individual to enter or remain in Canada is compelling and sufficient to overcome any risks that he/she might pose. Additionally, it is important to be aware that each case is determined on a case-by-case basis and that the final determination rests with the examining officer at the port of entry.

If a TRP is not granted at the port of entry, the individual may be subject to further enforcement action such the issuance of an *Allowed to Leave Canada* form or a removal order. It is therefore recommended that Ms. submit her application for a TRP to the Consulate General of Canada in her region.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

June 12, 2017

OPS input to PO question (LL)

Mr.

Dear Mr.

Thank you for your further follow-up correspondence of April 12, 2017, concerning Ms.

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- 2 -

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Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

June 12, 2017

OPS input to PO question (LL)

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An individual may also ask or apply for a TRP at a port of entry when requesting entry into Canada. However, such TRPs are issued in exceptional circumstances and when the need of the individual to enter or remain in Canada is compelling and sufficient to overcome any risks that he/she might pose.

It is important to be aware that if the examining officer determines that the issuance of a TRP is unwarranted further action may be taken against the individual. Depending on the circumstances of the case, this could result in the person being offered an *Allowed to Leave Canada* form, up to the possibility of a removal order being issued.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

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- 2 -

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Thank you again for writing.

- 2 -

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

May 30, 2017

Writer: Lynne Leyshon (954-7063)
CBSA: 2017-00429

May 31, 2017 (paragraph added page 2).

Mr.

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000228

- 2 -

enforcement action may be taken against the individual, which could ultimately result in a removal order being issued.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

May 30, 2017

Writer: Lynne Leyshon (954-7063)
 CBSA: 2017-00429

Mr.

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Thank you again for writing.

Yours sincerely,

000230

- 2 -

The Honourable Ralph Goodale, P.C., M.P.

000231

Kelly, Sharon

From: Salois, Denis
Sent: June 13, 2017 10:09 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2017-00429 PO approval
Attachments: Goto Record 35107 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00429.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2017/06/13

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00429
PSC: GDL-011355

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr. I

Subject / Remarks - Sujet / Remarques :

Correspondence concerning Ms. I

CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE
2017 JUN 13 10 13
AGENCE DES SERVICES
FRONTALIERS
DU CANADA
BUREAU DU PRÉSIDENT

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

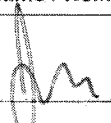
Other / Autre ☒

CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE
2017 JUN 6 05 09
AGENCE DES SERVICES
FRONTALIERS
DU CANADA
BUREAU DU PRÉSIDENT

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	June 14/17

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS - 12th Floor

000233



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2017-00429
PSC: GDL-011355

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning Ms.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u><i>Eileen J. Mayer</i></u> Nina Eguen	Manager, Correspondence, Briefings and Invitations Unit	<i>June 1/17</i> ^{EM} <i>June 13/17</i>
(for approval) <u><i>Caroline Xavier</i></u> Caroline Xavier	Vice-President, Operations Branch	JUN - 6 2017

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. — No dossier
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Canada Border Services Agency

Name / Nom (for approval)	Title / Titre	Date
	President's Office	June 14 17

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS — 12th Floor

000235

Minister of Public Safety and
Emergency Preparedness

Ministre de la Sécurité publique
et de la Protection civile

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

Thank you for your further follow-up correspondence of April 12, 2017, concerning Ms.

As you have provided a signed and dated copy of the required form *Authority to Release Personal Information to a Designated Individual* (IMM 5475) from Ms. , I am able to disclose the following information to you. Please note that as this information is of a personal nature and protected under the provisions of the *Privacy Act*, it may not be shared without her written consent.

When a Canada Border Services Agency (CBSA) border services officer assesses criminal equivalency under the *Immigration and Refugee Protection Act* (IRPA), it is important to be aware that IRPA distinguishes between serious criminality under subsection 36(1), defined as an offence punishable by a term of imprisonment of at least 10 years, and criminality under subsection 36(2), defined as an indictable offence punishable by a term of imprisonment of less than 10 years.

In addition, paragraph 36(3)(a) of IRPA states that an "offence that may be prosecuted either summarily or by way of indictment is deemed to be an indictable offence".

With the information you have provided, it appears that Ms. situation falls under subsection 36(2) of IRPA for having two indictable offences punishable by terms of imprisonment of less than 10 years, which covers all indictable offences under this threshold.

Obtaining a positive individual rehabilitation decision would offer Ms. a more permanent solution to her current inadmissibility, providing no new admissibility concerns arise in the meantime. Further details on overcoming criminal inadmissibility can be found on the Immigration, Refugees and Citizenship website at www.cic.gc.ca/english/information/applications/guides/5312ETOC.asp.

Canada

- 2 -

Should Ms. be approved for a temporary resident permit (TRP) by the Consulate General of Canada in her region, she will be provided with an introduction letter to present to a CBSA officer at a port of entry (POE). Additional information on TRPs is available at **www.cic.gc.ca/english/information/inadmissibility/permits.asp**.

Individuals who are inadmissible to Canada may apply for a TRP at a port of entry when requesting entry to Canada. It should be noted that border services officers will only issue a TRP in exceptional circumstances and when the need of the individual to enter or remain in Canada is compelling and sufficient to overcome any risks that he/she might pose. Additionally, it is important to be aware that each case is determined on a case-by-case basis and that the final determination rests with the examining officer at the port of entry.

If a TRP is not granted at the port of entry, the individual may be subject to further enforcement action such the issuance of an *Allowed to Leave Canada* form or a removal order. It is therefore recommended that Ms. submit her application for a TRP to the Consulate General of Canada in her region.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Minister of Public Safety and
Emergency Preparedness



Ministre de la Sécurité publique
et de la Protection civile

Ottawa, Canada K1A 0P8

JUL 12 2017

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Canada

000238

- 2 -

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Thank you again for writing.

Yours sincerely,



The Honourable Ralph Goodale, P.C., M.P.

From: Prime Minister/Premier Ministre
To:
Cc: Public Safety MCU / Sécurité publique UCM (PS/SP)
Subject: Office of the Prime Minister / Cabinet du Premier ministre
Date: Friday, July 07, 2017 12:32:53 PM

DOC. GDL-0124438
OP/BPR CBSA
D.D./D.E. 8/4/2017
ACTION REPLY
FILE ## DOSSIER 8000-8 UNC

Dear Ms.

On behalf of the Right Honourable Justin Trudeau, Prime Minister of Canada, I would like to acknowledge receipt of your email regarding record suspensions.

Please be assured that your correspondence has been carefully reviewed. I recognize why you have written to the Prime Minister; however, I hope you will understand that he is unable to personally intervene in this matter.

The issue you raise falls within the portfolio of the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness. I have therefore taken the liberty of forwarding your email to Minister Goodale for his information and consideration.

Thank you for taking the time to write. I wish you well in resolving this matter.

B. Funes
 Executive Correspondence Officer
 for the Prime Minister's Office
 Agent de correspondance
 de la haute direction
 pour le Cabinet du premier ministre

>>> From : Received : 27 Jun 2017 02:50:15 PM >>>

>>> Subject : Please deem me rehabilitated so that I may visit Butchart Gardens before I die >>>>

Dear Prime Minister Trudeau:

I am wondering if you would be willing to help me.

This past weekend, my husband and I were making plans for a late August/early September vacation to Victoria and Vancouver. I was hoping to spend our at Butchart Gardens. When we were speaking with a travel agent about wheelchair-accessible hotel rooms, he happened to mention the Canadian law about not allowing people who had committed serious crimes into Canada unless they had been 'deemed rehabilitated.'

I was charged with driving under the influence (DUI)

I have had no other such infractions

I believe that I have truly

learned my lesson and should be deemed rehabilitated.

We looked online and the governmental website we looked at said the rehabilitation process can take up to 1-1/2 years and the Temporary Resident Permit can take up to six months.

Prime Minister Trudeau, I cannot wait that long! This trip will honestly be my last chance to see Butchart Gardens, Victoria, Vancouver and other beautiful places in British Columbia. Would you help me, please?

With utmost respect and gratitude,

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL0124438 / Green /

X REF. #

CBSA-ASFC # 2017-00629

SECURITY: U

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE: August 4, 2017

SUBJECT / OBJET: DRIVING UNDER THE INFLUENCE / ADMISSIBILITY

ISSUE / QUESTION: PMO referral.
requirements.

writes regarding Canadian entry

CBSA BRANCH DISTRIBUTION / ACTION:

- ☐ Operations / Opérations
- ☒ Programs / Programmes
- ☐ Technology / Technologie
- ☐ Human Resources / Ressources humaines
- ☐ Comptrollership / Contrôle
- ☐ Corporate Affairs / Services corporatifs

TASK

- ☒ Input / fournir des renseignements
- ☐ Information Only / à titre d'information seulement
- ☐ Information and Action / Pour votre suivi

Comments / Commentaires:

Please advise within 24 hours if this should be tasked to another area to provide input.

July 7/17 Date Rec'd at MCU/PS
July 7/17 Date Rec'd at MINCOR/CBSA
July 11/17 Date Assessed MBK
July 11/17 Date Entered in ccm MB

Kelly, Sharon

From: Salois, Denis
Sent: July 11, 2017 01:10 PM
To: Remy, Gaelle; Carbonneau, Alex; Vigliotti, Maria
Subject: 2017-00629 Input
Attachments: Goto Record 35332 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00629.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2017/07/25

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: DGO_TPD/BDG-DPV(CBSA/ASFC)
Sent: July 14, 2017 12:28 PM
To: Vigliotti, Maria; Remy, Gaelle; Carbonneau, Alex
Cc: DGO_TPD/BDG-DPV(CBSA/ASFC)
Subject: RE: 2017-00629 Input

Hello,

Please find the DG approved response below.

Response:

- Foreign nationals seeking entry to Canada must meet the requirements of the *Immigration and Refugee Protection Act* and its regulations. The Canada Border Services Agency's mandate is to ensure that only admissible people and goods enter Canada.
- The Agency does not determine in advance if a traveller will be allowed entry into Canada, but rather performs an admissibility determination at the time the traveller is seeking entry.
- A traveller with a previous enforcement action at the border may be referred for secondary inspection and depending on the severity, may be allowed to enter Canada or rendered inadmissible. You may be deemed to have been rehabilitated at the port of entry if at least ten years have passed since you completed the sentence imposed upon you, or since you committed the offence, if the offence is one that would, in Canada, be an indictable offence punishable by a maximum term of imprisonment of less than ten years.
- You may contact Immigration, Refugees and Citizenship Canada through their web form at <http://www.cic.gc.ca/english/contacts/web-form.asp> or the Canadian Embassy, Mission, or High Commission in your own country to enquire about your admissibility to Canada. Depending on the crime, how long ago it was and whether you have had other criminal charges since, you may still be allowed to come to Canada.
- More information on admissibility is available on the CBSA website: <http://www.cbsa-asfc.gc.ca/travel-voyage/ivc-rnc-eng.html#a3>.

Thank you,

Robert Morrison

Administrative Assistant, Director General Office, Traveller Programs Directorate, Programs Branch
Canada Border Services Agency
Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 / TTY: 866-335-3237

Adjoint administratif, Bureau de la Directrice Générale, Direction du programme des voyageurs, Direction générale des programmes
Agence des services frontaliers du Canada
Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 / TTY: 866-335-3237

From: Vigliotti, Maria
Sent: July 11, 2017 1:27 PM
To: DGO_TPD/BDG-DPV(CBSA/ASFC) <CBSA.DGO_TPD-BDG-DPV.ASFC@cbsa-asfc.gc.ca>
Cc: Remy, Gaelle <Gaelle.Remy@cbsa-asfc.gc.ca>; Carbonneau, Alex <Alex.Carbonneau@cbsa-asfc.gc.ca>
Subject: 2017-00629 Input

Please advise if tasked incorrectly

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00629.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite:
2017/07/25

Ms.

Dear Ms.

The Office of the Prime Minister forwarded to me on July 7, 2017, your correspondence concerning your admissibility to Canada.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry, border services officers assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada. Further information is available at **www.cbsa-asfc.gc.ca/travel-voyage/ivc-rnc-eng.html**.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

You may be deemed to have been rehabilitated at the port of entry if at least 10 years have passed since you completed the sentence imposed upon you or since you committed the offence. This is if the offence is one that would, in Canada, be an indictable offence punishable by a maximum term of imprisonment of less than 10 years.

- 2 -

You can enquire about your admissibility to Canada through the webform on the Immigration, Refugees and Citizenship Canada website at www.cic.gc.ca/english/contacts/web-form.asp or by contacting the Canadian embassy, mission, or high commission in your own country.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

July 17, 2017

Writer: Lynne Leyshon (954-7063)
CBSA: 2017-00629

Ms.

Dear Ms.

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Thank you for writing.

Yours sincerely,

- 2 -

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: July 26, 2017 02:33 PM
To: Remy, Gaelle; Carbonneau, Alex; Vigliotti, Maria
Subject: 2017-00629 VP approval
Attachments: Goto Record 35332 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00629.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2017/07/28

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2017-00629
PSC: GDL-012438

**AGENCY FICHE
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To – À : The Honourable Ralph Goodale

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Correspondence concerning her admissibility to Canada.

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Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Karen D. Mayer</u> Nina Eguren	Manager, Correspondence and Briefings Unit	Jul. 26/17
(for approval) <u>Martin Belduc</u> Martin Belduc	Vice-President, Programs Branch	JUL 27 2017

* NOTE: Please return to Correspondence and Briefings Unit *
SRS – 12th Floor

000251

Minister of Public Safety and
Emergency Preparedness

Ministre de la Sécurité publique
et de la Protection civile

Ottawa, Canada K1A 0P8

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Canada

- 2 -

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Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: July 27, 2017 09:26 AM
To: Charron, Renée; CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2017-00629 PO approval
Attachments: Goto Record 35332 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00629.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2017/07/27

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Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2017-00629
PSC: GDL-012438

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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for Karen D. Mayer</i> Nina Eguren	Manager, Correspondence and Briefings Unit	<i>Jul. 26/17</i>
(for approval) <i>Martin Bolduc</i> Martin Bolduc	Vice-President, Programs Branch	JUL 27 2017

* NOTE: Please return to Correspondence and Briefings Unit *
SRS – 12th Floor

000255



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier

CBSA: 2017-00629

PSC: GDL-012438

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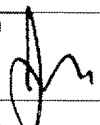
Other / Autre

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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	July 27 17.

*** NOTE: Please return to Correspondence and Briefings Unit ***
SRS – 12th Floor

Minister of Public Safety and
Emergency Preparedness

Ministre de la Sécurité publique
et de la Protection civile

Ottawa Canada K1A 0P8

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Canada

- 2 -

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Minister of Public Safety and
Emergency Preparedness



Ministre de la Sécurité publique
et de la Protection civile

Ottawa, Canada K1A 0P8

AOUT 11 2017
AUG 11 2017

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You may be deemed to have been rehabilitated at the port of entry if at least 10 years have passed since you completed the sentence imposed upon you or since you committed the offence. This is if the offence is one that would, in Canada, be an indictable offence punishable by a maximum term of imprisonment of less than 10 years.

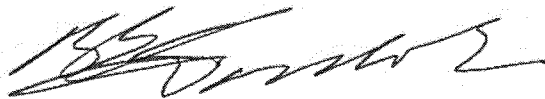
Canada

- 2 -

You can enquire about your admissibility to Canada through the webform on the Immigration, Refugees and Citizenship Canada website at **www.cic.gc.ca/english/contacts/web-form.asp** or by contacting the Canadian embassy, mission, or high commission in your own country.

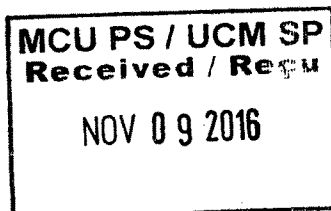
Thank you for writing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ralph Goodale', written in a cursive style.

The Honourable Ralph Goodale, P.C., M.P.

Mr.



25 October 2016

DOC.	GDL-007732
OPI/BPR	CBSA
D.D./D.E.	12-8-2016
ACTION	DIRECT REPLY
FILE #/DOSSIER	8000-8

Mr. Ralph Goodale
Minister of public safety of Canada
269 Laurier Avenue West
Ottawa, Canada K1A 0P8

To the honorable Mr. Ralph Goodale,

writing to you about your security procedures. I understand that you are very involved in making our borders as secure as they can get. But I would like to talk to you about the difficulty i have with this. Specifically, I would like to address when I traveled to Canada in the summer and me and my family were randomly selected at the security check and held for 2 for an exhaustive search of our bags and came up with nothing and still denied entry to Canada because of a dui of one of our family friends I believe that we were searched and treated unfairly because one of our friends was not smart in his past and not knowing people change.

I also heard of another incident on the News about a rapper who was denied when you guy discovered he had convictions from years ago and denied entrance. was traveling into your country and would have made Canada a lot of money and was still denied.. was only traveled there to perform. Then was taken into a private room and Threaten to be denied entrance into Canada. Then he was denied entrance to Canada and returned to Canada. I believe this was very unfair because he was sent back to the U.S. and hd to cancel his show.

I know in your position this is a very important issue for you. I believe the explanation we were given was not good enough and i would like a response from you. Thank you for your time and efforts for making our borders more secure.

Sincerely,



ALBERTA

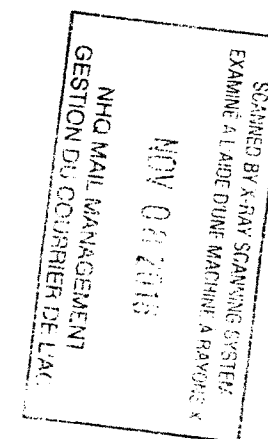
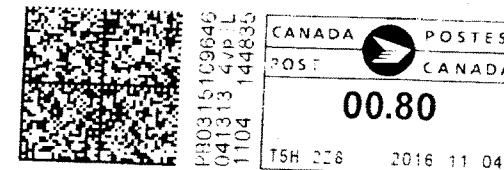
JUSTICE AND SOLICITOR GENERAL

Office of the Minister

424 Legislature Building

10800 - 97 Avenue NW, Edmonton, Alberta T5K 2B6 Canada

Honourable Ralph Goodale
Minister of Public Safety and
Emergency Preparedness
269 Laurier Ave West
Ottawa ON K1A 0P8



**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL007732 / Orange /

X REF. #

CBSA-ASFC # 2016-00955

SECURITY: U

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : December 8, 2016

SUBJECT / OBJET:

writes of a two hour examination seeking entry into
Canada, and return to the US due to the inadmissibility of a friend travelling with the family due to
criminality, and of rapper

ISSUE / QUESTION: INADMISSIBILITY

CBSA BRANCH DISTRIBUTION / ACTION:

- ☐ Operations / Opérations
- x ☐ Programs / Programmes
- ☐ Technology / Technologie
- ☐ Human Resources / Ressources humaines
- ☐ Comptrollership / Contrôle
- x ☐ Corporate Affairs / Services corporatifs / Communications for media lines regarding rapper

TASK

- x ☐ Input / fournir des renseignements
- ☐ Information Only / à titre d'information seulement
- ☐ Information and Action / Pour votre suivi

Comments / Commentaires:

It is understood that there are Privacy Act issues.

To PRO branch for policy on inadmissibility into Canada

To COMMS branch for media lines regarding rapper

Please advise within 24 hours if this should be tasked to another area to provide input.

Nov 09/16 Date Rec'd at MCU/PS

Nov 09/16 Date Rec'd at MINCOR/CBSA

Nov 10/16 Date Assessed MA

Nov 10/16 Date Entered in ccm DS

Kelly, Sharon

From: Salois, Denis
Sent: November 10, 2016 08:40 AM
To: Charron, Stephanie; Carbonneau, Alex; Fifield, William
Subject: 2016-00955 Input
Attachments: Goto Record 34521 in database 1.ccm

From: Salois, Denis Sent: 2016/11/10 08:40:23 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00955.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BPRO-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2016/11/25

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Salois, Denis
Sent: November 10, 2016 08:41 AM
To: CBSA-ASFC_VP-Corporate-Affairs-Branch_VP-Direction-générale-des-services-intégrés;
Charron, Renée; Graham, Jason
Cc: Desabrais, Heather
Subject: 2016-00955 Input (Comms)
Attachments: Goto Record 34521 in database 1.ccm

From: Salois, Denis Sent: 2016/11/10 08:41:11 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00955.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BPRO-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2016/11/25

BCA-VP ---> INPUT ---> Notes: Input (Comms) ---> Deadline/Date limite: 2016/11/25

Any related documents are in the following folder / Les documents seront dans le dossier:

Communications Input for CBSA/ASFC-16-00955

Approved by DG, Communications:



Erika-Kirsten Easton

Date: NOV 15 2016

The Canada Border Services Agency (CBSA) takes its border and national security responsibilities very seriously. The safety and protection of Canadians are the CBSA's top priorities.

All persons, including Canadian citizens, seeking entry to Canada must present to the CBSA and may be subject to a more in-depth exam.

All persons must demonstrate they meet the requirements to enter and/or stay in Canada.

Admissibility of all travelers is decided on a case-by-case basis and based on the information made available to the border services officer at the time of entry.

Several factors are used in determining admissibility into Canada, including involvement in criminal activity, in human rights violations, in organized crime, security, health or financial reasons.

Canadian laws differ from US laws, a DUI in the US may make you inadmissible to Canada. If you have questions about admissibility, it is recommended you check with us prior to seeking entry to Canada - www.cbsa-asfc.gc.ca

Also mention requirement to apply for a TRV.

Kelly, Sharon

From: Morrison, Robert
Sent: November 22, 2016 03:26 PM
To: Carboneau, Alex
Cc: Charron, Stephanie; Fifield, William; Vigliotti, Maria; Bilsky, Desiree; Gosselin, Sonia; O'Neill, Erin
Subject: RE: CBSA/ASFC-16-00955.
Follow Up Flag: Follow up
Flag Status: Flagged

From: Morrison, Robert Sent: 2016-11-22 03:26:29 PM
Good afternoon,

Please see the a/DG approved response below.

Response

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadian society is protected through the responsible enforcement of our laws.

The challenge of our mandate is to ensure that only admissible people and goods enter Canada. While primary and secondary processing may seem an unnecessary obstacle to travellers, it is necessary to ensure the safety of all Canadians and should not be viewed as an accusation of wrongdoing.

- All travellers seeking entry to Canada are carefully screened by border services officers to prevent inadmissible persons from entering or remaining in Canada. All foreign nationals seeking entry into Canada must meet the requirements of the Immigration and Refugee Protection Act (IRPA) and its regulations. Under the Act, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a "driving under the influence" (DUI) charge is considered a serious offence under the Criminal Code.

- We work closely with domestic and international partners notably, Immigration, Refugees and Citizenship Canada and foreign and Canadian law enforcement agencies to prevent persons considered a security risk from entering in Canada as well as to remove them once they are identified in Canada.

- The grounds on which a foreign national may be found inadmissible are under the purview of the Honourable John McCallum, Minister of Immigration, Refugees and Citizenship. For information on

overcoming inadmissibility please visit

<http://www.cic.gc.ca/english/information/inadmissibility/conviction.asp>

The Government of Canada is committed to protect the privacy of individuals with respect to the personal information that is under the control of government institutions. As a result, the CBSA is legally prevented from commenting on specific cases, such as the case of Dwayne Michael Carter.

Thank you,

Robert Morrison

Administrative Assistant, Director General Office, Traveller Programs Directorate, Programs Branch

Canada Border Services Agency

HYPERLINK "<mailto:Robert.Morrison@cbsa-asfc.gc.ca>"Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 /
TTY: 866-335-3237

Adjoint administratif, Bureau de la Directrice Générale, Direction du programme des voyageurs, Direction générale des programmes

Agence des services frontaliers du Canada

HYPERLINK "<mailto:Robert.Morrison@cbsa-asfc.gc.ca>"Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 /
TTY: 866-335-3237

From: Carbonneau, Alex

Sent: November 10, 2016 8:47 AM

To: Bilsky, Desiree; Morrison, Robert; Vigliotti, Maria

Cc: Carbonneau, Alex; Charron, Stephanie; Fifield, William

Subject: CBSA/ASFC-16-00955.

**** Please advise VPO ASAP if it should be redirected to another DGO ****

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00955.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

BPRO-VP ---> INPUT ---> Notes: Please provide input ---> Deadline/Date limite: 2016/11/25

Mr.

Dear Mr.

Thank you for your correspondence of October 25, 2016, concerning the entry requirements for visitors to Canada.

The *Privacy Act* prohibits me from commenting on specific cases or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry, border services officers assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access.

The grounds on which a foreign national may be found inadmissible are security violations, international and human rights offences, criminality, organized crime, health, financial reasons, misrepresentation, non-compliance with IRPA, as well as having an inadmissible family member. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

- 2 -

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

Information on overcoming criminal inadmissibility to Canada is available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

Before arriving at a port of entry, travellers can contact the Canadian Embassy, Mission, or High Commission in their own country concerning the requirements for entry. A list of office locations can be found at **www.cic.gc.ca/english/information/offices/missions.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

Mr.

Dear Mr.

Thank you for your correspondence of October 25, 2016, concerning the entry requirements for visitors to Canada.

The *Privacy Act* prohibits me from commenting on specific cases or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry, border services officers assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access.

The grounds on which a foreign national may be found inadmissible are security violations, international and human rights offences, criminality, organized crime, health, financial reasons, misrepresentation, non-compliance with IRPA, as well as having an inadmissible family member. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

Foreign nationals can contact Immigration, Refugees and Citizenship Canada at 1-888-242-2100 to enquire about their admissibility to Canada. Depending on the crime, how long ago it was, and whether he/she has had other criminal charges since, the person may still be allowed to come to Canada.

- 2 -

Information on overcoming criminal inadmissibility to Canada is also available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

November 24, 2016

Writer: Neil Kennedy (954-7142)
CBSA: 2016-00955

Mr.

Dear Mr.

Thank you for your correspondence of October 25, 2016, concerning admissibility into Canada.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadian society is protected through the responsible enforcement of our laws. The challenge of its mandate is to ensure that only admissible people and goods enter Canada.

The *Privacy Act* prohibits me from commenting on a specific case or acknowledging whether information exists without the written authorization of the individual involved. I am able however, to provide you some general information.

The *Immigration and Refugee Protection Act (IRPA)* specifies who is inadmissible to Canada. Factors in determining admissibility into Canada, include involvement in criminal activity, organized crime, human rights violations, security, health or financial reasons. Under the Act, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a "driving under the influence" (DUI) charge is considered a serious offence under the Criminal Code.

All travellers seeking entry to Canada are carefully screened by border services officers to prevent inadmissible persons from entering or remaining in Canada. While primary and secondary processing may seem an unnecessary obstacle to travellers, it is necessary to ensure the safety of all Canadians and should not be viewed as an accusation of wrongdoing.

Information on overcoming inadmissibility is available at Immigration, Refugee and Citizenship Canada website **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

The grounds on which a foreign national may be found inadmissible are under the purview of the Honourable John McCallum, Minister of Immigration, Refugees and Citizenship. As such, I have taken the liberty of forwarding our exchange of correspondence for his information and consideration.

Please be assured that the Government and the CBSA are committed to the fair and equitable application of Canada's immigration laws.

Thank you again for writing.

000274

- 2 -

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

c.c.: The Honourable John McCallum, P.C., M.P.
Minister of Immigration, Refugees and Citizenship

Kelly, Sharon

From: Salois, Denis
Sent: November 30, 2016 12:47 PM
To: CBSA-ASFC_VP-Corporate-Affairs-Branch_VP-Direction-générale-des-services-intégrés;
Charron, Renée; Graham, Jason
Subject: 2016-00955 Approve (Comms)
Attachments: Goto Record 34521 in database 1.ccm

From: Salois, Denis Sent: 2016/11/30 12:47:25 PM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00955.

Task Information / Information au sujet de la tâche :

BCA-VP ---> APPROVE ---> Notes: Approve (Comms) ---> Deadline/Date limite: 2016/12/02

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-00955
PSC: GDL-007732

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning the entry requirements for visitors to Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for approval) Erika-Kirsten Easton	Director General, Communications Directorate	DEC 02 2016
(for approval) Martin Bolduc	Vice-President, Programs Branch	

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

000277

Kelly, Sharon

From: Salois, Denis
Sent: December 5, 2016 08:35 AM
To: Charron, Stephanie; Carbonneau, Alex; Fifield, William
Subject: 2016-00955 VP approval
Attachments: Goto Record 34521 in database 1.ccm

From: Salois, Denis Sent: 2016/12/05 08:34:39 AM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00955.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2016/12/07

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier

CBSA: 2016-00955

PSC: GDL-007732

AGENCY FICHE **APPROVAL D'APPROBATION** **FORM POUR LES** **ORGANISMES**

To – À: The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning the entry requirements for visitors to Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>For</i> <u>Karen D. Mayer</u> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Nov. 30/16
(for approval) <u>as per attached</u> Erika-Kirsten Easton	Director General, Communications Directorate	Dec 2/16
(for approval) <u>@ Dec 5/16</u> Martin Bolduc	Vice-President, Programs Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor

000279



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA 2016-00955
PSC GDL-007732

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À: The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning the entry requirements for visitors to Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	
(for approval) Erika-Kirsten Easton	Director General, Communications Directorate	DEC 02 2016
(for approval) Martin Bolduc	Vice-President, Programs Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear Mr.

Thank you for your correspondence of October 25, 2016, concerning the entry requirements for visitors to Canada.

The *Privacy Act* prohibits me from commenting on specific cases or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

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At ports of entry, border services officers assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access.

The grounds on which a foreign national may be found inadmissible are security violations, international and human rights offences, criminality, organized crime, health, financial reasons, misrepresentation, non-compliance with IRPA, as well as having an inadmissible family member. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Canada

- 2 -

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

Information on overcoming criminal inadmissibility to Canada is available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

Before arriving at a port of entry, travellers can contact the Canadian Embassy, Mission, or High Commission in their own country concerning the requirements for entry. A list of office locations can be found at **www.cic.gc.ca/english/information/offices/missions.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

Citizenship and
Immigration CanadaCitoyenneté et
Immigration Canada

PROTECTED WHEN COMPLETED - B

PAGE 1 OF 1

AUTHORITY TO RELEASE PERSONAL INFORMATION TO A DESIGNATED INDIVIDUAL

Complete this form if you authorize Citizenship and Immigration Canada (CIC) and Canada Border Services Agency (CBSA) to release information from your case file to someone other than yourself.

If your spouse or common-law partner wishes to release personal information to the same designated individual, he or she should sign in the space provided. Your dependent children who are 18 years of age or older must complete their own copy of this form if they wish to authorize CIC and CBSA to release their information to a designated individual.

The individual you designate will be able to obtain information such as the status of your application and will be able to change your address if you move. However, he or she will **not** be a representative who can conduct business with CIC and CBSA on your behalf. If you wish to be represented, you must complete and submit form *Use of a Representative* (IMM 5476).

Choose one

- ☐ I authorize Citizenship and Immigration Canada and Canada Border Services Agency to release information from my case file to the following individual.
- ☐ I withdraw my authorization to release information from my case file to the following individual.

5. Your designated individual's full name

Family name (Surname)
Given name(s)
Given name(s)

1. Your full name

Family name (Surname)
Given name(s)
Given name(s)

2. Your date of birth

Date (YYYY-MM-DD)

3. If you have already submitted your application:

Name of office where the application was submitted
Location of office
Type of application (permanent residence, extension of study permit, etc.)

4. Your Client Identification (ID) or Unique Client Identifier (UCI) number identification number (if known)

6. Your designated individual's contact information

Name of firm or organization (if applicable)	
Mailing address	
City	Province/State/Territory
Country	Postal code/Zip
Country Code	Area Code and Telephone number
Country Code	Area Code and Fax number
E-mail address (if applicable)	

7. Your declaration

- I understand the following statements, having asked for and obtained an explanation for every point that was not clear to me.

If you are giving your authorization

- I authorize Citizenship and Immigration Canada and Canada Border Services Agency to release information from my case file to the individual named above.
- I understand that this consent only allows the disclosure of my personal information and that of my dependent children under 18 years of age.
- I am aware that some information may not be released if it is subject to exemption under the *Privacy Act* or the *Access to Information Act*.
- I further authorize the designated individual to update the address listed in my file, as required.

If you are withdrawing your authorization

- I withdraw my authorization to release information from my case file to the individual named above.

Signature of
applicantDate
(YYYY-MM-DD)Signature of spouse or
common-law partner
(if applicable)Date
(YYYY-MM-DD)

If you have not yet submitted your application:
If you have already submitted your application:

Send this form along with your application to the office listed in your respective application kit.
Send this form to the office where you submitted your original application.

The information you provide on this form is collected under the authority of the *Privacy Act* and will be used in assessing your request according to the requirements of the Act. It will be retained in a Personal Information Bank identified in **Infosource**. It may be shared with other organizations in accordance with the consistent use of information under the *Privacy Act*. Under the *Privacy Act* and the *Access to Information Act* individuals have the right to protection of and access to their personal information. Details on these matters are available at infosource.gc.ca. **Infosource** is also available in Canadian public libraries.

Kelly, Sharon

From: Salois, Denis
Sent: December 5, 2016 02:13 PM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2016-00955 PO approval
Attachments: Goto Record 34521 in database 1.ccm

From: Salois, Denis Sent: 2016/12/05 02:12:53 PM

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-16-00955.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2016/12/05

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier

CBSA: 2016-00955

PSC: GDL-007732

AGENCY APPROVAL FORM
FICHE D'APPROBATION POUR LES ORGANISMES

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to Mr.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning the entry requirements for visitors to Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for Nina Eguren</i> <i>Karen D. Mayer</i> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Nov. 30/16
(for approval) <i>as per attached</i> Erika-Kirsten Easton	Director General, Communications Directorate	Dec 2/16
(for approval) <i>@ Dec 5/16</i> Martin Bolduc	Vice-President, Programs Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor

000285



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
 CBSA: 2016-00955
 PSC: GDL-007732

**AGENCY FICHE
 APPROVAL D'APPROBATION
 FORM POUR LES
 ORGANISMES**

To - À: The Honourable Ralph Goodale

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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval)	Manager, Correspondence, Briefings and Invitations Unit	
Nina Eguren (for approval)	Director General, Communications Directorate	
 Erika-Kirsten Easton (for approval)	Vice-President, Programs Branch	DEC 02 2016
Martin Bolduc		

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
 SRS - 12th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2016-00955
PSC: GDL-007732

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ORGANISMES**

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Consultations undertaken / Consultations enterprises :

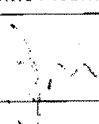
Legal / Services juridiques ☐

Other / Autre ☒

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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	Dec 16

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor

000287

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Mr.

Dear

Thank you for your correspondence of October 25, 2016, concerning the entry requirements for visitors to Canada.

The *Privacy Act* prohibits me from commenting on specific cases or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

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Canada

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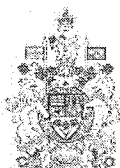
I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you again for writing.

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

DEC 15 2016

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Canada

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Thank you again for writing.



The Honourable Ralph Goodale, P.C., M.P.

Enclosure

From: CIMS OPER
To: Public Safety MCU / Sécurité publique UCM (PS/SP)
Subject: FROM : Privy Council Office - Bureau du conseil privé [Mail # : 200444 Folder # : 949371 Tracking # : 62530343E]
Date: Friday, March 10, 2017 9:02:00 PM
Attachments: Final_62530343E.docx
wL3EEFXS.pdf

Attention : Ralph Goodale, P.C., M.P., Minister of Public Safety and Emergency Preparedness

The attached correspondence addressed to the Prime Minister is forwarded to your office for action or information as appropriate.

La correspondance ci-jointe adressée au Premier Ministre vous est transmise pour suite à donner ou pour information.

Correspondent / Correspondant :

DOC. GDL010022
OP/BPR CBSA
D.D./D.E. 4/10/17
ACTION REPLY
FILE ## DOSSIER 8000-8

Keywords / Mots-clés : Customs - Neutral

Folder Number / Numéro de dossier: 949371

Tracking Number / Numéro de suivi: 62530343E

Date on Document / Date du document: 01 Sep 2016

Date Rec'd (by PCO) / Date de récept.: 09 Sep 2016

For additional information, please call 941-6887

Pour de plus amples informations, veuillez composer le 941-6887

Date of this E-Mail / Date de la transmission : Fri 10 Mar 2017 1:49:46 PM

March 9, 2017

Dear Ms. :

On behalf of the Right Honourable Justin Trudeau, I would like to acknowledge receipt of your correspondence regarding your son-in-law's request to enter Canada. I regret the delay in replying.

Thank you for taking the time to share your concerns with the Prime Minister. You may be assured that your correspondence has been carefully reviewed. I understand why you have written to the Prime Minister; however, I hope you will understand that he is unable to personally intervene in this matter. As you may know, the issue you raise falls under the purview of the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness. I have therefore taken the liberty of forwarding a copy of your letter to Minister Goodale for his information and consideration.

Once again, thank you for writing to the Prime Minister.

Yours sincerely,

R. Olshansky
Executive Correspondence Officer

Justin Trudeau,
Prime Minister of Canada.

62530343

Dear Sir -

I believe that when I really need help and can't do it myself - go to the top. Well this time that's you - You are as high as I can go in Canada.

My daughter just got married

I'm (now the husband) tried to come here to visit. He has a valid passport; has used it to travel but was denied entry at Pearson Airport because - he was stopped at a R.I.D.E. check & failed.

"Now he's paid his fine & anything else that had to be done and as far as is concerned it's over & done with.

I'm not condoning impaired driving - it's stupid but if stupid is a valid reason to deny entrance to Canada we're losing a lot of tourist dollars.

I die. Now - I would like to meet my new son-in-law before

And now I hope you don't think that I'm stupid but could you help us? Please!

and it seems the only one ahead is the law (at least financially) -

Even if all the "ts" are crossed & "is" are dotted could still
get to the border & be denied entry. This is apparently left to the
"discretion" of the border guard. This seems like a lot of power
in the hands of someone who has no clear cut rules and
could be having a "bad day" and decides he doesn't like the
looks of someone.

We need help even if you could write a note for
hand to whoever to say that he can get into Canada. You could
even send the note to my daughter to send on to
save the postage.

Please don't file this under "G". There are two very
frustrated people and family who desperately want this sorted
out (in time for Christmas in Canada would be great).

Yours very truly,



1609030655

3803 MAL

Prime Minister Justin Trudeau
Parliament Hill
Wellington St.
Ottawa Ont.
K1A-0A4

MHU / UTC
2016-09-07
LP

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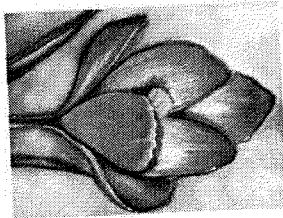
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**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL-010022 / GREEN /

X REF. #

CBSA-ASFC # 2017-00219

SECURITY:

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : April 10, 2017

SUBJECT / OBJET: PMO forwards correspondence from Ms.
inadmissibility of her son-in-law to Canada.

regarding the

ISSUE / QUESTION: Inadmissibility

CBSA BRANCH DISTRIBUTION / ACTION:

- ☐ Operations / Opérations
- ☐ Programs / Programmes
- ☐ Technology / Technologie
- ☐ Human Resources / Ressources humaines
- ☐ Comptrollership / Contrôle
- ☒ Corporate Affairs / (CBIU)

TASK

- ☒ Input / fournir des renseignements
- ☐ Information Only / à titre d'information seulement
- ☐ Information and Action / Pour votre suivi

Comments / Commentaires

Please advise within 24 hours if this should be tasked to another area to provide input.

CBIU to prepare privacy response for Minister's signature.

10/03/17 Date Rec'd at MCU/PS

13/03/17 Date Rec'd at MINCOR/CBSA

14/03/17 Date Assessed TM

13/03/17 Date Entered in ccm TM

Ms.

Dear Ms.

The Office of the Prime Minister forwarded to me on March 10, 2017, your correspondence concerning your son-in-law's admissibility to Canada.

The *Privacy Act* prohibits me from commenting on specific cases or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

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- 2 -

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I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

March 14, 2017

Writer: Lynne Leyshon (954-7063)

CBSA: 2017-00219

Ms. Alyce

Dear Ms.

The Office of the Prime Minister forwarded to me on March 10, 2017, your correspondence concerning your son-in-law's in admissibility to Canada.

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Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Enclosure



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00219
PSC: GDL-010022

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to Ms.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning her son-in-law's admissibility to Canada.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin)

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Karen C. Maizer</u> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Mar. 30/17

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor

000305

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Ms.

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Canada

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I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Enclosure

Kelly, Sharon

From: Salois, Denis
Sent: March 20, 2017 11:30 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2017-00219 PO approval
Attachments: Goto Record 34875 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00219.

Task Information / Information au sujet de la tâche :

CBSA ---> ACTION ---> Notes: ---> Deadline/Date limite:

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2017/03/20

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00219
PSC: GDL-010022

**AGENCY FICHE
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Legal / Services juridiques ☐

Other / Autre ☒

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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>Nina Eguren</i> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	Mar. 20/17

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
 CBSA: 2017-00219
 PSC: GDL-010022

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
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Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	March 26

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit ***
SRS – 12th Floor

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Ms.

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Yours sincerely,

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Enclosure

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

MAR 21 2017

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The Office of the Prime Minister forwarded to me on March 10, 2017, your correspondence concerning your son-in-law's admissibility to Canada.

The *Privacy Act* prohibits me from commenting on specific cases or acknowledging whether information exists without the written authorization of the individual involved. Should you wish to pursue this matter, please provide me with a completed copy of the enclosed form, *Authority to Release Personal Information to a Designated Individual* (IMM 5475), which is also available at www.cic.gc.ca/english/pdf/kits/forms/imm5475e.pdf. In the meantime, I can provide you with the following general information.

Foreign nationals seeking entry into Canada must meet the requirements of the *Immigration and Refugee Protection Act* (IRPA) and its regulations. Every person seeking to enter Canada must be examined to determine whether he/she has the right to enter Canada or may be authorized to enter and remain in Canada, regardless of previous admissibility decisions.

At ports of entry, border services officers assess the admissibility of travellers based on the information presented to them by the travellers themselves and on the information available to them through the various systems to which they have access.

The grounds on which a foreign national may be found inadmissible are security violations, international and human rights offences, criminality, organized crime, health, financial reasons, misrepresentation, non-compliance with IRPA, as well as having an inadmissible family member. A final decision on a foreign national's admissibility to Canada can only be made at the time he/she seeks entry into Canada.

Canada

000315

- 2 -

Under IRPA, foreign nationals who have been convicted of crimes in or outside of Canada may be inadmissible to Canada. In Canada, a driving under the influence (DUI) charge is considered a serious offence under the *Criminal Code*. If the accused is found guilty by way of indictment (similar to a felony in the United States), a DUI is punishable by a maximum term of imprisonment not exceeding five years.

Information on overcoming criminal inadmissibility to Canada is available at **www.cic.gc.ca/english/information/inadmissibility/conviction.asp**.

Before arriving at a port of entry, travellers can contact the Canadian Embassy, Mission, or High Commission in their own country concerning the requirements for entry. A list of office locations can be found at **www.cic.gc.ca/english/information/offices/missions.asp**.

I assure you that the Government and the Canada Border Services Agency are committed to the equitable application of Canada's immigration laws.

Thank you for writing.

Yours sincerely,



The Honourable Ralph Goodale, P.C., M.P.

Enclosure

Kennedy, Neil

From: Charron3, Marc (PS/SP) <marc.charron3@canada.ca>
Sent: March 15, 2017 02:37 PM
To: Kennedy, Neil
Cc: Kelly, Sharon; Salois, Denis
Subject: Incoming - GDL010092
Attachments: Incoming - GDL010092.pdf

Incoming was sent to MO as a casefile.

Thank you,
Marc

From: Prime Minister/Premier Ministre
To:
Cc: Ahmed D. Hussen, P.C., M.P.; Public Safety MCU / Sécurité publique UCM (PS/SP)
Subject: Office of the Prime Minister / Cabinet du Premier ministre
Date: Tuesday, March 14, 2017 3:21:55 PM

Dear Mr.

On behalf of the Right Honourable Justin Trudeau, Prime Minister of Canada, I would like to acknowledge receipt of your correspondence, in which you raised an issue that will be of particular interest to the Honourable Ahmed D. Hussen, Minister of Immigration, Refugees and Citizenship, and the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness.

Please be assured that your comments have been carefully reviewed. I have taken the liberty of forwarding your e-mail to Minister Hussen and Minister Goodale. I am certain that they will wish to give your views every consideration.

Thank you for writing to the Prime Minister.

J.P. Vachon
Manager/Gestionnaire
Executive Correspondence Services
for the Prime Minister's Office
Services de la correspondance
de la haute direction
pour le Cabinet du Premier ministre

>>> From : Received : 12 Mar 2017 01:33:28 PM >>>

>>> Subject : PARDON OF DEPORTATION ORDER >>>>

Dear Sir,

Reference is made to the above subject matter.

I am an International student who got convicted on the 1st Day of of a DUI. I pleaded guilty and now face deportation.

I apologize for my irrational decision and I am keen to continue with my educational career at the University

I would like to forward my kind request to give me a second shot in your country so that I can make myself a better person in the future.

It is my sincere hope that you will put my request into kind consideration.

Sincerely,

DOC. GDL010092
OPW/BPR MIN
D D/D.E.
ACTION ACTION
FILE ## DOSSIER 8000-12
COPY TO CBSA

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL010092 / MN /

X REF. #

CBSA-ASFC # ~~2016~~ 2017-00250

SECURITY: U

MINISTER'S OFFICE DUE DATE /
DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : n/a

SUBJECT / OBJET: PMO referral. plead guilty to DUI, and requests a pardon to his
deportation order, and to be allowed to continue his education at the University

ISSUE / QUESTION: INFO

CBSA BRANCH DISTRIBUTION / ACTION:

- ☒ Operations / Opérations
☐ Programs / Programmes
☐ Technology / Technologic
☐ Human Resources / Ressources humaines
☐ Comptrollership / Contrôle
☐ Corporate Affairs / Services corporatifs

Input / fournir des renseignements

- ☒ Information Only / à titre d'information seulement
☐ Information and Action / Pour votre suivi

Comments / Commentaires :

The Minister's correspondence unit at PS has tasked the above file to the Correspondence, Briefings, and Invitations Unit (CBIU) for information only. It is being forwarded to your branch for information as it may be of interest to you. This is not a ministerial request for input. The Minister was only cc'd on this incoming and will not be responding.

L'Unité de correspondance ministérielle de Sécurité publique (SP) a assigné le dossier ci-haut à l'Unité de la correspondance, des synthèses d'information et des invitations (UCSII) à titre d'information seulement. Ce dossier vous est acheminé à titre informatif car son contenu pourrait être d'intérêt pour votre division. Il ne s'agit donc pas d'une demande ministérielle d'"Input". Le ministre figure en copie conforme dans la lettre et ne fournira pas de réponse.

Mar 14/17 Date Rec'd at MCU/PS

Mar 15/17 Date Rec'd at MINCOR/CBSA

Mar 28/17 Date Assessed MS

Mar 22/17 Date Entered in com DS

Kelly, Sharon

From: Salois, Denis
Sent: March 22, 2017 01:53 PM
To: Alves, Jessica; Alie, Manon; St-Louis, Roxanne; Conroy, Samantha
Subject: 2017-00250 Information only - no action required
Attachments: Goto Record 34909 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00250.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> INFO ---> Notes: Information only - no action required ---> Deadline/Date limite: 2017/03/28

Any related documents are in the following folder / Les documents seront dans le dossier:

Kennedy, Neil

From: Granato, Chiara (PS/SP) <chiara.granato@canada.ca>
Sent: December 19, 2016 02:00 PM
To: Kennedy, Neil
Cc: Kelly, Sharon; Salois, Denis
Subject: Incoming - GDL008479
Attachments: Incoming - GDL008479(1).PDF; Goto Record 49157 in database 90.ccm

Info Copy – Incoming sent to MO as a casefile.

Thanks,
Chiara

GDL008479

English summary of incoming

On December 19, 2016, the Office of the Prime Minister forwarded a message to Minister Goodale concerning Ms.

Ms. is asking the Minister to cancel the removal order for her husband. The alleged reason for removal is for driving under the influence. She claims that he has not committed any crimes since and that they have a daughter.

Summary by Nicolas Rudeen (613-941-0801)

From: Prime Minister/Premier Ministre
To:
Cc: John McCallum, P.C., M.P.; Public Safety MCU / Sécurité publique UCM (PS/SP)
Subject: Office of the Prime Minister / Cabinet du Premier ministre
Date: Monday, December 19, 2016 11:33:58 AM

Madame,

Au nom du très honorable Justin P. J. Trudeau, j'accuse réception de votre récente correspondance.

Je puis vous assurer que nous avons soigneusement noté vos propos. Comme vous soulevez un enjeu qui relève des portefeuilles de l'honorable John McCallum, ministre de l'Immigration, des Réfugiés et de la Citoyenneté, et de l'honorable Ralph Goodale, ministre de la Sécurité publique et de la Protection civile, j'ai pris la liberté de leur transmettre copie de votre courriel. Je suis convaincu que leurs cabinets respectifs voudront accorder toute l'attention nécessaire à vos commentaires.

Je vous remercie d'avoir pris le temps d'écrire.

J.P. Vachon
Manager/Gestionnaire
Executive Correspondence Services
for the Prime Minister's Office
Services de la correspondance
de la haute direction
pour le Cabinet du Premier ministre

>>> From :

Received : 16 Dec 2016 03:19:30 PM >>>

>>> Subject : Monsieur le 1er Ministre! >>>>

Bonjour Monsieur le 1er Ministre,

C'est avec respect et espoir que je viens par ce message demander votre assistance afin de conserver ma famille ici. Mon conjoint doit être expulsé du Canada pour une conduite en état d'ébriété datant de
Depuis il s'est tenu tranquille et on vient d'avoir une fille. J'aimerais vraiment qu'on n'ait pas à se séparer, c'est pour ça que je viens vous implorer en dernier recours afin d'avoir une chance et/ou des conseils de votre part.

Je vous prie, Monsieur le 1er Ministre, d'accepter mes plus sincères salutations.

DOC GDL-008479
OPV/BPR MIN
D.D./D.E.
ACTION ACTION
FILE ## DOSSIER 8000-12 UNC
CBSA

DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE

PS Docket # GDL008479 / MN /

X REF. #

CBSA-ASFC # 2017 -00497

SECURITY: U

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : n/a

SUBJECT / OBJET:

DUI) requests cancellation of her husband's removal order (due to a
stating that he has not committed any crimes since, and that they have a daughter. Casefile.

ISSUE / QUESTION: INFO

CBSA BRANCH DISTRIBUTION / ACTION:

- ☒ Operations / Opérations
☐ Programs / Programmes
☐ Technology / Technologie
☐ Human Resources / Ressources humaines
☐ Comptrollership / Contrôle
☐ Corporate Affairs / Services corporatifs

Input / fournir des renseignements

- ☒ Information Only / à titre d'information seulement
☐ Information and Action / Pour votre suivi

Comments / Commentaires :

The Minister's correspondence unit at PS has tasked the above file to the Correspondence, Briefings, and Invitations Unit (CBIU) for information only. It is being forwarded to your branch for information as it may be of interest to you. This is not a ministerial request for input. The Minister was only cc'd on this incoming and will not be responding.

L'Unité de correspondance ministérielle de Sécurité publique (SP) a assigné le dossier ci-haut à l'Unité de la correspondance, des synthèses d'information et des invitations (UCSII) à titre d'information seulement. Ce dossier vous est acheminé à titre informatif car son contenu pourrait être d'intérêt pour votre division. Il ne s'agit donc pas d'une demande ministérielle d'"input". Le ministre figure en copie conforme dans la lettre et ne fournira pas de réponse.

Dec 19/16 Date Rec'd at MCU/PS

Dec 19/16 Date Rec'd at MINCOR/CBSA

June 1/17 Date Assessed BA

June 2/17 Date Entered in ccm JS

Kelly, Sharon

From: Salois, Denis
Sent: June 2, 2017 07:57 AM
To: Alves, Jessica; Oreto, Kevin; Conroy, Samantha; Hergholi Funes, Cethia; Caple, Lesley
Subject: 2017-00497 Information only - no action required
Attachments: Goto Record 35177 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00497.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> INFO ---> Notes: Information only - no action required ---> Deadline/Date limite: 2017/06/02

Any related documents are in the following folder / Les documents seront dans le dossier:

Kennedy, Neil

From: Granato, Chiara (PS/SP) <chiara.granato@canada.ca>
Sent: July 7, 2017 02:36 PM
To: Kennedy, Neil
Cc: Kelly, Sharon; Salois, Denis
Subject: Incoming - GDL012437
Attachments: Incoming - GDL012437.pdf

Info Copy

Incoming - GDL012437

Thank you.

From: Prime Minister/Premier Ministre
To:
Cc: Public Safety HCU / Sécurité publique DCM (PS/SP)
Subject: Office of the Prime Minister / Cabinet du Premier ministre
Date: Friday, July 07, 2017 12:31:55 PM

DOC GDL-012437
FILE #/DOSSIER 8000-8 UNC
COPY/COPIE CBSA

Good afternoon :

On behalf of the Right Honourable Justin Trudeau, Prime Minister of Canada, I would like to acknowledge receipt of your correspondence.

Please be assured that your comments have been carefully reviewed. As you may know, the issue you raise falls more directly under the purview of the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness. I have therefore taken the liberty of forwarding your email to Minister Goodale for his information and consideration. I am certain that he will appreciate being made aware of your concerns.

Thank you for taking the time to write.

A. Opalick
Executive Correspondence Officer
for the Prime Minister's Office
Agent de correspondance
de la haute direction
pour le Cabinet du Premier ministre

>>> From : Received : 05 Jul 2017 04:34:48 PM >>>

>>> Subject : PM Web Site Comments - Immigration, Refugees and Citizenship >>>>

Subject/Sujet : Immigration, Refugees and Citizenship

Date : 2017/07/05

Name/Nom : Anonymous Request

E-Mail/Adresse électronique :

Address/Adresse :

City/Adresse :

Province :

Postal Code/Code postal :

Telephone/Téléphone :

Comments/Commentaires :

I have been to Canada multiple times on Tourists Visa
and I love the Country, so I was in the process
of applying for an express Entry for Canada as I would love to live and work
in Canada.

I am a very rare drinker, and unfortunately I was arrested for DUI just few
miles from my home, which is the first and will be the last ever mistake in
my life.

Later I was made aware that, I cannot enter Canada anymore until I get a
Criminal rehabilitaion which would be around 5 years from now.

I really respect and understand this policy and deeply regret for the mistake
I committed, however, I kindly request you to relax the entry into canada
with DUI atleast for First time offenders.

In my case, I do not even have a parking ticket or any speeding ticket or any type of Traffic violation prior to this DUI. I have a clean record, and this was the first ever mistake I made and I deeply regret for the same.

I feel terrible that I have ruined my opportunity to live in the world's beautiful and lovable country Canada.

Please Sir, consider this request of relaxing the entry into Canada for non-immigrants with DUI atleast for First time offense.

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL012437 / MN / Anonymous

X REF. #

CBSA-ASFC # 2017 -00682

SECURITY: U

MINISTER'S OFFICE DUE DATE /
DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE : n/a

SUBJECT / OBJET: Anonymous request to relax the entry into Canada of DUI first time offenders.

ISSUE / QUESTION: INFO

CBSA BRANCH DISTRIBUTION / ACTION:

- ☐ Operations / Opérations
- ☒ Programs / Programmes
- ☐ Technology / Technologie
- ☐ Human Resources / Ressources humaines
- ☐ Comptrollership / Contrôle
- ☐ Corporate Affairs / Services corporatifs

Input / fournir des renseignements

- ☒ Information Only / à titre d'information seulement
- ☐ Information and Action / Pour votre suivi

Comments / Commentaires :

The Minister's correspondence unit at PS has tasked the above file to the Correspondence, Briefings, and Invitations Unit (CBIU) for information only. It is being forwarded to your branch for information as it may be of interest to you. This is not a ministerial request for input. The Minister was only cc'd on this incoming and will not be responding.

L'Unité de correspondance ministérielle de Sécurité publique (SP) a assigné le dossier ci-haut à l'Unité de la correspondance, des synthèses d'information et des invitations (UCSI) à titre d'information seulement. Ce dossier vous est acheminé à titre informatif car son contenu pourrait être d'intérêt pour votre division. Il ne s'agit donc pas d'une demande ministérielle d'"Input". Le ministre figure en copie conforme dans la lettre et ne fournira pas de réponse.

July 7/17 Date Rec'd at MCU/PS
July 7/17 Date Rec'd at MINCOR/CBSA
July 21/17 Date Assessed ABX
July 24/17 Date Entered in cem 8

Kelly, Sharon

From: Salois, Denis
Sent: July 24, 2017 08:13 AM
To: Remy, Gaelle; Carbonneau, Alex; Vigliotti, Maria
Subject: 2017-00682 For information only - no action required
Attachments: Goto Record 35393 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

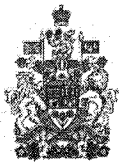
You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00682.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> INFO ---> Notes: For information only - no action required ---> Deadline/Date limite: 2017/07/28

Any related documents are in the following folder / Les documents seront dans le dossier:



Hon. Candice Bergen, P.C.

Member of Parliament for Portage—Lisgar
Députée de Portage—Lisgar

Hon. Ralph Goodale, P.C., M.P.
Minister of Public Safety and Emergency Preparedness
269 Laurier Ave. W.
Ottawa, ON
K1A 0P8

April 13, 2017

Dear Minister Goodale,

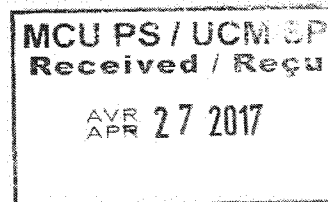
I am writing to you today in my capacity as the Member of Parliament for Portage-Lisgar, a constituency with four points-of-entry to the United States. It has recently been brought to my attention that there has been a concerning policy reversal in inter-service cooperation between Canadian Border Service Agency officials and local detachments of the Royal Canadian Mounted Police regarding impaired drivers.

Up until recently when Border Service Officers tested individuals seeking to cross the border for impaired driving, they would inform the RCMP if they registered as a "warn" on an Approved Screening Device. This cooperation allowed the police to keep impaired drivers off our roads, while still respecting the jurisdiction of the individual forces. Furthermore, the sharing of this key information is completely consistent with the "consistent use" provisions found in the Privacy Act. Despite these facts, CBSA officers are now forbidden from sharing this information at the risk of disciplinary action. This is an important matter of conscience for these officers, who are concerned that they can't properly do their job.

This reversal decreases road safety in the region, and also creates the appearance of a disconnect in enforcement surrounding our Southern border. At a time when many Canadians are concerned about how drug impaired driving will be combatted once your Government legalizes marijuana, it is disconcerting to see a reversal in such a well-established and straight-forward issue such as this. I request that you investigate this reversal, and re-establish this import and long standing policy, which will measurably increase road safety in my constituency.

Sincerely,

Hon. Candice Bergen, P.C., M.P.
Official Opposition House Leader



CC:

Hon. Tony Clement, P.C., M.P., Official Opposition Critic for Public Safety and Emergency Preparedness
Mark Holland, M.P., Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness

House of Commons

507 Wellington
OTTAWA, ON K1A 0A6
Tel.: 613-995-9511
Fax: 613-947-0313
Email: candice.bergen@parl.gc.ca

Constituency

Unit E, 886 Thornhill Street
MORDEN, MB R6M 2E1
Tel.: 204-822-7440
Fax: 204-822-7445
Email: info@candicebergen.ca

Chambre des communes

507 Wellington
OTTAWA (ON) K1A 0A6
Tél.: 613-995-9511
Télé.: 613-947-0313
email: candice.bergen@parl.gc.ca

Circonscription

Pièce E, 886, rue Thornhill
MORDEN (MB) R6M 2E1
Tél.: 204-822-7440
Télé.: 204-822-7445
email: info@candicebergen.ca

Leclair, Natalie (PS/SP)

From: ES&ML-DLO ES&ML-DLO <ES_ML-DLO@rcmp-grc.gc.ca>
Sent: Thursday, April 27, 2017 3:26 PM
To: Leclair, Natalie (PS/SP)
Cc: Karen Mayer; Nina Eguren; Sharon Kelly; ES_ML-DLO@rcmp-grc.gc.ca
Subject: RE: Consult - MP Bergen RE: change in policy

yes sounds good,

Ryan

>>> "Leclair, Natalie (PS/SP)" <natalie.leclair@canada.ca> 2017/04/27 3:00 PM >>>
RCMP - Do you agree to CBSA lead with input from the RCMP?

-----Original Message-----

From: Mayer, Karen [mailto:Karen.Mayer@cbsa-asfc.gc.ca]
Sent: Thursday, April 27, 2017 2:52 PM
To: Leclair, Natalie (PS/SP); ES_ML-DLO@rcmp-grc.gc.ca; Kelly, Sharon; Eguren, Nina
Subject: RE: Consult - MP Bergen RE: change in policy

My guess is that it would be a CBSA lead, given the suggestion in the incoming that CBSA officers are now forbidden from sharing the information with the RCMP.

-----Original Message-----

From: Leclair, Natalie (PS/SP) [mailto:natalie.leclair@canada.ca]
Sent: April 27, 2017 12:33 PM
To: ES_ML-DLO@rcmp-grc.gc.ca; Mayer, Karen <Karen.Mayer@cbsa-asfc.gc.ca>; Kelly, Sharon <Sharon.Kelly@cbsa-asfc.gc.ca>; Eguren, Nina <Nina.Eguren@cbsa-asfc.gc.ca>
Subject: Consult - MP Bergen RE: change in policy

Good afternoon,

Please review the attached incoming correspondence from MP Bergen regarding inter-service cooperation between the CBSA and RCMP as it relates to impaired driving.

Please let me know if this is best housed with one agency or if there is a need for a coordinated reply.

Thank you!

Nat

Natalie Leclair

A/Manager - Gestionnaire p.i.

Ministerial Correspondence Unit

Unité de la correspondance ministérielle Public Safety Canada - Sécurité publique Canada Tel : 613-998-5809

Kelly, Sharon

From: Charron3, Marc (PS/SP) <marc.charron3@canada.ca>
Sent: April 28, 2017 09:54 AM
To: Kelly, Sharon; Salois, Denis
Cc: ES&ML-DLO ES&ML-DLO
Subject: CRR - INPUT REQUESTED - GDL011067
Attachments: Incoming - GDL011067.pdf

As the attached incoming correspondence covers a number of areas within the Minister's Portfolio, your cooperation is requested in preparing a coordinated reply.

LEAD (CBSA):

* CBSA (in consultation with RCMP, as required).

MATERIAL REQUIRED:

*Please provide your input electronically to CBSA no later than May 5, 2017. Final BF for the lead is May 12, 2017. It is important that your input have the appropriate level of approval for your branch/agency before submitting it to the lead, and in submitting to the lead, you indicate who has sign-off on your input.

*Note to the Lead Branch: Please ensure that any input you receive has been received via the applicable Correspondence Unit in the agencies/branches (names of these individuals appear on the "c.c." line) and not provided directly to you or your staff via the subject matter experts as this will ensure that the proper sign-offs have been obtained. If for some reason you determine that input is not required from any of the branches/agencies identified above, please ensure that you advise all concerned so work is not done unnecessarily.

Should you have any further questions or require additional information on this process, please feel free to contact the MCU Manager at Public Safety – Natalie Leclair - by phone (998-5809) or email (HYPERLINK "<mailto:Natalie.Leclair@canada.ca>"Natalie.Leclair@canada.ca).

Thank you.

**DISTRIBUTION SLIP FOR MINISTERIAL CORRESPONDENCE
DISTRIBUTION DE LA CORRESPONDANCE MINISTÉRIELLE**

PS Docket # GDL011067/ Blue - CRR / MP Hon. Candice Bergen

X REF. #

CBSA-ASFC # 2017-00380

SECURITY: U

MINISTER'S OFFICE DUE DATE /

DATE D'ÉCHÉANCE DU BUREAU DU MINISTRE: May 12, 2017

SUBJECT / OBJET: PARTNERS IN PROTECTION

ISSUE / QUESTION: MP, Hon. Candice Bergen writes concerning a policy reversal between CBSA and local RCMP detachments involving impaired drivers. CRR with CBSA lead and RCMP input.

CBSA BRANCH DISTRIBUTION / ACTION:

- ☒ Operations / Opérations
☐ Programs / Programmes
☐ Technology / Technologie
☐ Human Resources / Ressources humaines
☐ Comptrollership / Contrôle
☐ Corporate Affairs / Services corporatifs

TASK

- ☒ Input / fournir des renseignements
☐ Information Only / à titre d'information seulement
☐ Information and Action / Pour votre suivi

Comments / Commentaires:

Please advise within 24 hours if this should be tasked to another area to provide input.

April 27/17 Date Rec'd at MCU/PS

April 28/17 Date Rec'd at MINCOR/CBSA

April 28/17 Date Assessed 1/18

April 28/17 Date Entered in ccm 5

Kelly, Sharon

From: Kelly, Sharon
Sent: April 28, 2017 11:35 AM
To: Alves, Jessica; Oreto, Kevin; Conroy, Samantha
Subject: 17-00380 ccmMercury Task _ tâche ccmMercury.txt
Attachments: Goto Record 35052 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> INPUT ---> Notes: ---> Deadline/Date limite: 2017/05/03

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: Kelly, Sharon
Sent: May 2, 2017 08:39 AM
To: Alves, Jessica (Jessica.Alves@cbsa-asfc.gc.ca); Oreto, Kevin; Conroy, Samantha (Samantha.Conroy@cbsa-asfc.gc.ca)
Subject: FW: CRR - INPUT REQUESTED - GDL011067

Please see request from RCMP below. You can confirm when you send your input to MinCor/CBIU.

From: ES&ML-DLO ES&ML-DLO [mailto:ES_ML-DLO@rcmp-grc.gc.ca]
Sent: May 2, 2017 8:33 AM
To: Salois, Denis <Denis.Salois@cbsa-asfc.gc.ca>; Kelly, Sharon <Sharon.Kelly@cbsa-asfc.gc.ca>
Subject: Re: CRR - INPUT REQUESTED - GDL011067

Sharon/Denis:

The policy group here would like confirmation that the policy referred to in the incoming is CBSA's policy,

Ryan Marko
613-843-4575

>>> "Charron3, Marc (PS/SP)" <marc.charron3@canada.ca> 2017/04/28 9:54 AM >>>

As the attached incoming correspondence covers a number of areas within the Minister's Portfolio, your cooperation is requested in preparing a coordinated reply.

LEAD (CBSA):

- * CBSA (in consultation with RCMP, as required).

MATERIAL REQUIRED:

*Please provide your input electronically to CBSA no later than May 5, 2017. Final BF for the lead is May 12, 2017. It is important that your input have the appropriate level of approval for your branch/agency before submitting it to the lead, and in submitting to the lead, you indicate who has sign-off on your input.

*Note to the Lead Branch: Please ensure that any input you receive has been received via the applicable Correspondence Unit in the agencies/branches (names of these individuals appear on the "c.c." line) and not provided directly to you or your staff via the subject matter experts as this will ensure that the proper sign-offs have been obtained. If for some reason you determine that input is not required from any of the branches/agencies identified above, please ensure that you advise all concerned so work is not done unnecessarily.

Should you have any further questions or require additional information on this process, please feel free to contact the MCU Manager at Public Safety – Natalie Leclair - by phone (998-5809) or email (HYPERLINK "<mailto:Natalie.Leclair@canada.ca>"Natalie.Leclair@canada.ca).

Thank you.

Kelly, Sharon

From: Jack, Amanda
Sent: May 2, 2017 09:17 AM
To: Oreto, Kevin
Cc: Alves, Jessica; Conroy, Samantha; Hergholi Funes, Cethia; Gareau, Andrée; Melchers, Chantal
Subject: RE: Incoming - GDL011067(1).PDF

Morning –

This should be directed to Programs.

Thank you

Amanda Jack

A/Strategic Advisor-Director General's Office, Border Operations, Operations Branch
Canada Border Services Agency / Government of Canada
Amanda.Jack@cbsa-asfc.gc.ca / Tel : 613-954-7152 / TTY : 866-335-3237

Conseillère Stratégique par intérim-Bureau du directeur général, Direction des opérations frontalières, Direction générale des opérations
Agence des services frontaliers du Canada / Gouvernement du Canada
Amanda.Jack@cbsa-asfc.gc.ca / Tél : 613-954-7152 / TTY : 866-335-3237

From: Oreto, Kevin
Sent: April 28, 2017 5:22 PM
To: Melchers, Chantal <Chantal.Melchers@cbsa-asfc.gc.ca>; Jack, Amanda <Amanda.Jack@cbsa-asfc.gc.ca>; Gareau, Andrée <Andree.Gareau@cbsa-asfc.gc.ca>
Cc: Alves, Jessica <Jessica.Alves@cbsa-asfc.gc.ca>; Conroy, Samantha <Samantha.Conroy@cbsa-asfc.gc.ca>; Hergholi Funes, Cethia <Cethia.HergholiFunes@cbsa-asfc.gc.ca>
Subject: Incoming - GDL011067(1).PDF

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

BOPS-VP ---> INPUT ---> Notes: ---> Deadline/Date limite: 2017/05/03

Kelly, Sharon

From: Salois, Denis
Sent: May 2, 2017 03:05 PM
To: Remy, Gaelle; Carbonneau, Alex; Vigliotti, Maria
Subject: 2017-00380 Input
Attachments: Goto Record 35052 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

ES-SKH ---> ACTION ---> Notes: Follow-up with RCMP for their input if not already received ---> Deadline/Date limite: 2017/05/05

BPRO-VP ---> INPUT ---> Notes: OPS input is to redirect the RCMP question for confirmation that the policy referred to in the incoming is in fact CBSA policy. ---> Deadline/Date limite: 2017/05/05

Any related documents are in the following folder / Les documents seront dans le dossier:

Kelly, Sharon

From: O'Neill, Erin
Sent: May 5, 2017 12:40 PM
To: Vigliotti, Maria
Cc: Morrison, Robert; O'Neill, Erin; Remy, Gaelle; Carbonneau, Alex
Subject: RE: 2017-00380 Input

Hello,

Below is the A/DG approved response.

- Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.
- There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the Criminal Code. If an individual fails the Approved Screening Device (ASD) test, the Border Services Officer then has the authority, as per the Criminal Code, to arrest the individual.
- The CBSA does not have the mandate to enforce Provincial law, and therefore "Warn" results cannot be shared with the police of jurisdiction.

Thanks.

Erin

From: Vigliotti, Maria
Sent: May 2, 2017 3:14 PM
To: O'Neill, Erin <Erin.O'Neill@cbsa-asfc.gc.ca>; Morrison, Robert <Robert.Morrison@cbsa-asfc.gc.ca>
Cc: Carbonneau, Alex <Alex.Carbonneau@cbsa-asfc.gc.ca>; Remy, Gaelle <Gaelle.Remy@cbsa-asfc.gc.ca>
Subject: 2017-00380 Input

This has been redirected from OPS.

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

ES-SKH ---> ACTION ---> Notes: Follow-up with RCMP for their input if not already received ---> Deadline/Date limite: 2017/05/05

BPRO-VP ---> INPUT ---> Notes: OPS input is to redirect the RCMP question for confirmation that the policy referred to in the incoming is in fact CBSA policy. ---> Deadline/Date limite: 2017/05/05

Kelly, Sharon

From: Mayer, Karen
Sent: May 8, 2017 02:14 PM
To: 'ES_ML-DLO@rcmp-grc.gc.ca'
Cc: Eguren, Nina; Kelly, Sharon
Subject: RE: CRR - INPUT REQUESTED - GDL011067

Ryan,

CBSA officials have advised us that there is no CBSA policy with regard to this issue—CBSA officers simply have the authority to arrest individuals for DUI under the Criminal Code of Canada. I hope this helps.

Karen Mayer
Senior Editor and Team Leader, Corporate Affairs Branch
Canada Border Services Agency / Government of Canada
karen.mayer@cbsa-asfc.gc.ca / Tel: 613-954-7084 / TTY : 866-335-3237

Rédactrice principale et chef d'équipe, Direction générale des services intégrés
Agence des services frontaliers du Canada / Gouvernement du Canada
karen.mayer@cbsa-asfc.gc.ca / Tél.: 613-954-7084 / ATS : 866-335-3237

From: Kelly, Sharon
Sent: May 8, 2017 8:28 AM
To: Mayer, Karen <Karen.Mayer@cbsa-asfc.gc.ca>; Eguren, Nina <Nina.Eguren@cbsa-asfc.gc.ca>
Subject: Fw: CRR - INPUT REQUESTED - GDL011067

Neil mentioned on Friday that PRO provided input on this file which answers RCMP's question but I don't remember what the input says. PRO would have attached it to ccm. Could someone have a look at PRO input and respond to RCMP?

Thanks
Sharon

Sent from my BlackBerry 10

smartphone on the Rogers network.

From: ES&ML-DLO ES&ML-DLO <ES_ML-DLO@rcmp-grc.gc.ca>
Sent: Monday, May 8, 2017 7:59 AM
To: Kelly, Sharon
Subject: RE: CRR - INPUT REQUESTED - GDL011067

That is correct,

Ryan

>>> "Kelly, Sharon" <Sharon.Kelly@cbsa-asfc.gc.ca> 2017/05/05 1:26 PM >>>

Hi Ryan,

Were you waiting for a response from us re the question below before submitting your input to us for this one? RCMP input s due today.

From: ES&ML-DLO ES&ML-DLO [mailto:ES_ML-DLO@rcmp-grc.gc.ca]

Sent: May 2, 2017 11:26 AM

To: Kelly, Sharon <Sharon.Kelly@cbsa-asfc.gc.ca>

Subject: RE: CRR - INPUT REQUESTED - GDL011067

Thanks Sharon!

Ryan

>>> "Kelly, Sharon" <Sharon.Kelly@cbsa-asfc.gc.ca> 2017/05/02 8:39 AM >>>

Hi Ryan,

I've asked the program area to confirm. Will let you know.

From: ES&ML-DLO ES&ML-DLO [mailto:ES_ML-DLO@rcmp-grc.gc.ca]

Sent: May 2, 2017 8:33 AM

To: Salois, Denis <Denis.Salois@cbsa-asfc.gc.ca>; Kelly, Sharon <Sharon.Kelly@cbsa-asfc.gc.ca>

Subject: Re: CRR - INPUT REQUESTED - GDL011067

Sharon/Denis:

The policy group here would like confirmation that the policy referred to in the incoming is CBSA's policy,

Ryan Marko
613-843-4575

>>> "Charron3, Marc (PS/SP)" <marc.charron3@canada.ca> 2017/04/28 9:54 AM >>>

As the attached incoming correspondence covers a number of areas within the Minister's Portfolio, your cooperation is requested in preparing a coordinated reply.

LEAD (CBSA):

* CBSA (in consultation with RCMP, as required).

MATERIAL REQUIRED:

*Please provide your input electronically to CBSA no later than May 5, 2017. Final BF for the lead is May 12, 2017. It is important that your input have the appropriate level of approval for your branch/agency before submitting it to the lead, and in submitting to the lead, you indicate who has sign-off on your input.

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Should you have any further questions or require additional information on this process, please feel free to contact the MCU Manager at Public Safety – Natalie Leclair - by phone (998-5809) or email (HYPERLINK "<mailto:Natalie.Leclair@canada.ca>"Natalie.Leclair@canada.ca).

Thank you.

Kelly, Sharon

From: ES&ML-DLO ES&ML-DLO <ES_ML-DLO@rcmp-grc.gc.ca>
Sent: May 10, 2017 11:07 AM
To: Mayer, Karen; Eguren, Nina; Kelly, Sharon
Cc: Natalie (PS/SP) Leclair; ES_ML-DLO@rcmp-grc.gc.ca
Subject: RE: CRR - INPUT REQUESTED - GDL011067
Attachments: RM 011067 CRR.docx

Please find attached the RCMP's input (I'm afraid its only one line).

Ryan
613-843-4575

>>> "Mayer, Karen" <Karen.Mayer@cbsa-asfc.gc.ca> 2017/05/08 2:13 PM >>>

Ryan,

CBSA officials have advised us that there is no CBSA policy with regard to this issue—CBSA officers simply have the authority to arrest individuals for DUI under the Criminal Code of Canada. I hope this helps.

Karen Mayer

Senior Editor and Team Leader, Corporate Affairs Branch

Canada Border Services Agency / Government of Canada

karen.mayer@cbsa-asfc.gc.ca / Tel: 613-954-7084 / TTY : 866-335-3237

Rédactrice principale et chef d'équipe, Direction générale des services intégrés

Agence des services frontaliers du Canada / Gouvernement du Canada

karen.mayer@cbsa-asfc.gc.ca / Tél.: 613-954-7084 / ATS : 866-335-3237

From: Kelly, Sharon

Sent: May 8, 2017 8:28 AM

To: Mayer, Karen <Karen.Mayer@cbsa-asfc.gc.ca>; Eguren, Nina <Nina.Eguren@cbsa-asfc.gc.ca>

Subject: Fw: CRR - INPUT REQUESTED - GDL011067

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Thanks
Sharon

Sent from my BlackBerry 10

smartphone on the Rogers network.

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Sent: Monday, May 8, 2017 7:59 AM

To: Kelly, Sharon

Subject: RE: CRR - INPUT REQUESTED - GDL011067

That is correct,

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>>> "Kelly, Sharon" <Sharon.Kelly@cbsa-asfc.gc.ca> 2017/05/05 1:26 PM >>>

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From: ES&ML-DLO ES&ML-DLO [mailto:ES_ML-DLO@rcmp-grc.gc.ca]

Sent: May 2, 2017 11:26 AM

To: Kelly, Sharon <Sharon.Kelly@cbsa-asfc.gc.ca>

Subject: RE: CRR - INPUT REQUESTED - GDL011067

Thanks Sharon!

Ryan

>>> "Kelly, Sharon" <Sharon.Kelly@cbsa-asfc.gc.ca> 2017/05/02 8:39 AM >>>

Hi Ryan,

I've asked the program area to confirm. Will let you know.

From: ES&ML-DLO ES&ML-DLO [mailto:ES_ML-DLO@rcmp-grc.gc.ca]

Sent: May 2, 2017 8:33 AM

To: Salois, Denis <Denis.Salois@cbsa-asfc.gc.ca>; Kelly, Sharon <Sharon.Kelly@cbsa-asfc.gc.ca>

Subject: Re: CRR - INPUT REQUESTED - GDL011067

Sharon/Denis:

The policy group here would like confirmation that the policy referred to in the incoming is CBSA's policy,

Ryan Marko

613-843-4575

>>> "Charron3, Marc (PS/SP)" <marc.charron3@canada.ca> 2017/04/28 9:54 AM >>>

As the attached incoming correspondence covers a number of areas within the Minister's Portfolio, your cooperation is requested in preparing a coordinated reply.

LEAD (CBSA):

* CBSA (in consultation with RCMP, as required).

MATERIAL REQUIRED:

*Please provide your input electronically to CBSA no later than May 5, 2017. Final BF for the lead is May 12, 2017. It is important that your input have the appropriate level of approval for your branch/agency before submitting it to the lead, and in submitting to the lead, you indicate who has sign-off on your input.

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Thank you.



Royal Canadian Mounted Police
 Gendarmerie royale du Canada

MEMORANDUM NOTE DE SERVICE

To A	CBSA	Security Classification - Classification de sécurité	
		Our File - Notre référence	
From De	Ryan Marko Writer/Editor RCMP	Your File - Votre référence	
		GDL-011067	
		Date	Diary Date - Date d'agenda
		2016-05-10	

Subject
 Objet **Ministerial docket GDL-011067 CRR**

The following is the RCMP's input for a coordinated reply:

The Royal Canadian Mounted Police supports information sharing to help stop impaired drivers on our roadways.

Kelly, Sharon

From: Salois, Denis
Sent: May 11, 2017 02:26 PM
To: Remy, Gaelle; Carbonneau, Alex; Vigliotti, Maria
Subject: 2017-00380 VP approval
Attachments: Goto Record 35052 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> APPROVE ---> Notes: VP approval ---> Deadline/Date limite: 2017/05/15

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. – No dossier
CBSA: 2017-00380
PSC: GDL-011067

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To – À : The Honourable Ralph Goodale

Date:

Purpose / Urgency – But / Urgence :

To obtain your signature on the attached letter addressed to the Honourable Candice Bergen, P.C., M.P.

Subject / Remarks – Sujet / Remarques :

Correspondence concerning the screening of suspected impaired drivers at Canada's borders.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques

☐

Other / Autre

☒

Name of Agency – Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>for</i> <u>Karen J. Mayer</u> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	May 11/17
(for approval) <u>Martin Bolduc</u>	Vice-President, Programs Branch	

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS – 12th Floor

000354

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

The Honourable Candice Bergen, P.C., M.P.
Portage - Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms. Bergen:

Thank you for your correspondence of April 13, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.

There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the *Criminal Code*. If an individual fails the Approved Screening Device test, the border services officer then has the authority, as per the *Criminal Code*, to arrest the individual. The Royal Canadian Mounted Police supports information sharing to help stop impaired drivers on our roadways.

The CBSA does not have the mandate to enforce provincial law. Therefore, "warn" results cannot be shared with the police of jurisdiction.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Canada

Kelly, Sharon

From: Salois, Denis
Sent: May 12, 2017 10:26 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2017-00380 PO approval
Attachments: Goto Record 35052 in database 1.ccm

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2017/05/12

Any related documents are in the following folder / Les documents seront dans le dossier:

PO Comment 45
17-00380
12/5/17



Minister of Public Safety

Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

The Honourable Candice Bergen, P.C., M.P.
Portage - Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

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Thank you for your correspondence of April 13, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

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The CBSA does not have the mandate to enforce provincial law. Therefore, "warn" results cannot be shared with the police of jurisdiction.

Thank you again for writing.

Yours sincerely,

If the CBSA can't provide the "Warn" info, why would we want to note that the RCMP supports information sharing?

The Honourable Ralph Goodale, P.C., M.P.

Is the background on what a "Warn" result is, and what this means under provincial legislation?

Canada

Thanks,
Ralph

Kelly, Sharon

From: Morrison, Robert
Sent: May 17, 2017 10:00 AM
To: Vigliotti, Maria; Remy, Gaelle
Cc: O'Neill, Erin; Fatah, Shelan
Subject: RE: 2017-00380 Add'l Input

Good morning,

Please find the DG approved response below.

The President's Questions

The President's office is requesting background information on what a "warn" result is and what this means under provincial legislation. Please provide as additional input.

Additional Input:

- Currently, Border Services Officers (BSOs) are authorized under section 254(2) of the *Criminal Code* to demand a breath sample using an Approved Screening Device (ASD) if reasonable suspicion exists that a person is operating or has care and control over a conveyance while under the influence of alcohol. The ASD screens an individual's blood alcohol concentration (BAC). Driving with a BAC of greater than 80 milligrams of alcohol per 100 millilitres of blood (.080) is a criminal offence under section 253(1)(b) of the *Criminal Code*. A result between .050 and .080 will indicate a "Warn" on the device.
- In situations where the ASD test results in a "Warn", the driver can only be committing an offence under provincial legislation and not the *Criminal Code*; enforcement of provincial legislation falls outside of the CBSA mandate and consequently, BSOs have no authority to detain the driver.
- In 1998 Bill C-18, An Act to Amend the *Customs Act* and *Criminal Code* received royal assent. This provided CBSA BSOs with the authority to detain and/or arrest individuals for *Criminal Code* infractions, including those related to impaired driving. Several provinces have amended their provincial *Highway Traffic Acts* to provide for escalating administrative sanctions against drivers who fall within the "Warn" range on an ASD. This is to remove dangerous drivers from the road and to discourage individuals from becoming repeat offenders by implementing harsher penalties. The CBSA is not mandated to enforce provincial legislation and BSOs cannot detain for this offence.
- If the ASD registers a "Warn", the BSO requests that the traveller voluntarily park their vehicle and find alternative transportation or allow the traveller to proceed. The BSO has no authorization to detain the driver; rather they make detailed notes on the ASD reading of the person and complete an incident report on whether or not they elected to seek alternate transportation.
- In this context, the CBSA cannot disclose the person's information to the RCMP, as per the *Customs Act*, section 107.

Thank you,

Robert Morrison

Administrative Assistant, Director General Office, Traveller Programs Directorate, Programs Branch
Canada Border Services Agency
Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 / TTY: 866-335-3237

Adjoint administratif, Bureau de la Directrice Générale, Direction du programme des voyageurs, Direction
générale des programmes
Agence des services frontaliers du Canada
Robert.Morrison@cbsa-asfc.gc.ca / Tel: 613-954-6344 / TTY: 866-335-3237

From: Vigliotti, Maria

Sent: May 15, 2017 2:03 PM

To: O'Neill, Erin <Erin.O'Neill@cbsa-asfc.gc.ca>; Morrison, Robert
<Robert.Morrison@cbsa-asfc.gc.ca>

Cc: Remy, Gaelle <Gaelle.Remy@cbsa-asfc.gc.ca>; Carbonneau, Alex
<Alex.Carbonneau@cbsa-asfc.gc.ca>

Subject: 2017-00380 Add'l Input

PO has additional comments (see below and attached). I have also attached the original incoming.

ccmMercury Notification / Avis ccmMercury

=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

BPRO-VP ---> ADDITIONAL INPUT ---> Notes: The President's office is requesting background information on what a "warn" result is and what this means under provincial legislation. Please provide as additional input. ---> Deadline/Date limite: 2017/05/17

The Honourable Candice Bergen, P.C., M.P.
Portage-Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms. Bergen:

Thank you for your correspondence of April 13, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.

There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the *Criminal Code*. In 1998 Bill C-18, An Act to Amend the *Customs Act* and *Criminal Code*, received royal assent. This provided CBSA border services officers (BSOs) with the authority to detain and/or arrest individuals for *Criminal Code* infractions, including those related to impaired driving.

BSOs are authorized under subsection 254(2) of the *Criminal Code* to demand a breath sample using an approved screening device (ASD) if reasonable suspicion exists that a person is operating or has care of and control over a conveyance while under the influence of alcohol. The ASD screens an individual's blood alcohol concentration. Driving with a blood alcohol content of greater than 80 milligrams of alcohol per 100 millilitres of blood (.08) is a criminal offence under paragraph 253(1)(b) of the *Criminal Code*.

A result between .05 and .08 will indicate a "warn" on the device. Several provinces have amended their provincial *Highway Traffic Acts* to provide for escalating administrative sanctions against drivers who fall within the "warn" range on an ASD. This is to remove dangerous drivers from the road and to discourage individuals from becoming repeat offenders by implementing harsher penalties.

- 2 -

In situations where the ASD test results in a "warn" reading, the driver can only be committing an offence under provincial legislation and not the *Criminal Code*. The enforcement of provincial legislation falls outside of the mandate of the CBSA and BSOs have no authority to detain the driver.

"Warn" results cannot be shared with the police of jurisdiction.

If the ASD registers a "warn", the BSO can request that the traveller voluntarily park his/her vehicle and find other transportation or allow the traveller to proceed. The BSO will make detailed notes on the ASD reading and complete an incident report on whether the person elected to seek other transportation.

In this context, the CBSA cannot disclose the person's information to the Royal Canadian Mounted Police, as per section 107 of the *Customs Act*.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

The Honourable Candice Bergen, P.C., M.P.
Portage - Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

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- 2 -

In situations where the ASD test results in a "warn" reading, the driver can only be committing an offence under provincial legislation and not the *Criminal Code*. The enforcement of provincial legislation falls outside of the mandate of the CBSA and BSOs have no authority to detain the driver. "Warn" results cannot be shared with the police of jurisdiction.

If the ASD registers a "warn", the BSO can request that the traveller voluntarily park his/her vehicle and find other transportation or allow the traveller to proceed. The BSO will make detailed notes on the ASD reading and complete an incident report on whether the person elected to seek other transportation.

In this context, the CBSA cannot disclose the person's information to the Royal Canadian Mounted Police, as per section 107 of the *Customs Act*.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

May 17, 2017

Writer: Neil Kennedy (954-7142)
CBSA: 2017-00380

The Honourable Candice Bergen, P.C., M.P.
Portage - Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms. Bergen:

Thank you for your correspondence of April 13, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.

There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the *Criminal Code*. In 1998 Bill C-18, An Act to Amend the *Customs Act* and *Criminal Code* received royal assent. This provided CBSA Border Services Officers (BSOs) with the authority to detain and/or arrest individuals for *Criminal Code* infractions, including those related to impaired driving.

BSOs are authorized under subsection 254(2) of the *Criminal Code* to demand a breath sample using an Approved Screening Device (ASD) if reasonable suspicion exists that a person is operating or has care and control over a conveyance while under the influence of alcohol. The ASD screens an individual's blood alcohol concentration (BAC). Driving with a BAC of greater than 80 milligrams of alcohol per 100 millilitres of blood (.080) is a criminal offence under subsection 253(1)(b) of the *Criminal Code*.

A result between .050 and .080 will indicate a "Warn" on the device. Several provinces have amended their provincial *Highway Traffic Acts* to provide for escalating administrative sanctions against drivers who fall within the "Warn" range on an ASD. This is to remove dangerous drivers from the road and to discourage individuals from becoming repeat offenders by implementing harsher penalties.

In situations where the ASD test results in a "Warn", the driver can only be committing an offence under provincial legislation and not the *Criminal Code*; enforcement of provincial legislation falls outside of the CBSA mandate and consequently, BSOs have no authority to detain the driver. "Warn" results cannot be shared with the police of jurisdiction.

If the ASD registers a "Warn", the BSO requests that the traveller voluntarily park their vehicle and find alternative transportation or allow the traveller to proceed. The BSO will make detailed notes on the ASD reading of the person and complete an incident report on whether or not they elected to seek

- 2 -

alternate transportation.

In this context, the CBSA cannot disclose the person's information to the RCMP, as per the *Customs Act*, section 107.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

The Honourable Candice Bergen, P.C., M.P.
Portage - Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms. Bergen:

Thank you for your correspondence of April 13, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.

There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the *Criminal Code*. If an individual fails the Approved Screening Device test, the border services officer then has the authority, as per the *Criminal Code*, to arrest the individual. The Royal Canadian Mounted Police supports information sharing to help stop impaired drivers on our roadways.

The CBSA does not have the mandate to enforce provincial law. Therefore, "warn" results cannot be shared with the police of jurisdiction.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

May 10, 2017

Writer: Neil Kennedy (954-7142)
CBSA: 2017-00380

The Honourable Candice Bergen, P.C., M.P.
Portage - Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms. Bergen:

Thank you for your correspondence of received April 27, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.

There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the Criminal Code of Canada (Criminal Code). If an individual fails the Approved Screening Device test, the border services officer then has the authority, as per the Criminal Code, to arrest the individual.

The CBSA does not have the mandate to enforce Provincial law, and therefore "Warn" results cannot be shared with the police of jurisdiction.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Kelly, Sharon

From: Salois, Denis
Sent: May 25, 2017 07:52 AM
To: CBSA-ASFC_PO_Documents-Documents_BP
Subject: 2017-00380 PO approval
Attachments: Goto Record 35052 in database 1.ccm

ccmMercury Notification / Avis ccmMercury
=====

You have been assigned work on Docket / On vous a assigné une tâche associée avec le dossier :

CBSA/ASFC-17-00380.

Task Information / Information au sujet de la tâche :

PRES-FMO ---> APPROVE ---> Notes: PO approval ---> Deadline/Date limite: 2017/05/25

Any related documents are in the following folder / Les documents seront dans le dossier:



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00380
PSC: GDL-011067

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to the Honourable Candice Bergen, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning the screening of suspected impaired drivers at Canada's borders.

Consultations undertaken / Consultations entreprises :

Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) <i>Karen J. Mayer</i> Nina Eguren	Manager, Correspondence, Briefings and Invitations Unit	May 11/17 ^{km} May 24/17
(for approval) <i>Martin Bolduc</i> Martin Bolduc	Vice-President, Programs Branch	

for PRO re-approval as reply was changed following PO questions

* NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor



Public Safety Canada

Sécurité publique Canada

File/Docket No. - No dossier
CBSA: 2017-00380
PSC: GDL-011067

**AGENCY FICHE
APPROVAL D'APPROBATION
FORM POUR LES
ORGANISMES**

To - À : The Honourable Ralph Goodale

Date:

Purpose / Urgency - But / Urgence :

To obtain your signature on the attached letter addressed to the Honourable Candice Bergen, P.C., M.P.

Subject / Remarks - Sujet / Remarques :

Correspondence concerning the screening of suspected impaired drivers at Canada's borders.

Consultations undertaken / Consultations entreprises :

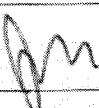
Legal / Services juridiques ☐

Other / Autre ☒

Name of Agency - Nom d'agence :

(Each agency would fill information in as required / Chaque agence remplira l'information si nécessaire au besoin))

Canada Border Services Agency

Name / Nom	Title / Titre	Date
(for approval) 	President's Office	May 25 / 17

*** NOTE: Please return to Correspondence, Briefings and Invitations Unit *
SRS - 12th Floor**

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

The Honourable Candice Bergen, P.C., M.P.
Portage-Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms. Bergen:

Thank you for your correspondence of April 13, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.

There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the *Criminal Code*. In 1998 Bill C-18, An Act to Amend the *Customs Act* and *Criminal Code*, received royal assent. This provided CBSA border services officers (BSOs) with the authority to detain and/or arrest individuals for *Criminal Code* infractions, including those related to impaired driving.

BSOs are authorized under subsection 254(2) of the *Criminal Code* to demand a breath sample using an approved screening device (ASD) if reasonable suspicion exists that a person is operating or has care of and control over a conveyance while under the influence of alcohol. The ASD screens an individual's blood alcohol concentration. Driving with a blood alcohol content of greater than 80 milligrams of alcohol per 100 millilitres of blood (.08) is a criminal offence under paragraph 253(1)(b) of the *Criminal Code*.

A result between .05 and .08 will indicate a "warn" on the device. Several provinces have amended their provincial *Highway Traffic Acts* to provide for escalating administrative sanctions against drivers who fall within the "warn" range on an ASD. This is to remove dangerous drivers from the road and to discourage individuals from becoming repeat offenders by implementing harsher penalties.

Canada

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In situations where the ASD test results in a "warn" reading, the driver can only be committing an offence under provincial legislation and not the *Criminal Code*. The enforcement of provincial legislation falls outside of the mandate of the CBSA and BSOs have no authority to detain the driver. "Warn" results cannot be shared with the police of jurisdiction.

If the ASD registers a "warn", the BSO can request that the traveller voluntarily park his/her vehicle and find other transportation or allow the traveller to proceed. The BSO will make detailed notes on the ASD reading and complete an incident report on whether the person elected to seek other transportation.

In this context, the CBSA cannot disclose the person's information to the Royal Canadian Mounted Police, as per section 107 of the *Customs Act*.

Thank you again for writing.

Yours sincerely,

The Honourable Ralph Goodale, P.C., M.P.

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

JUL 10 2017

The Honourable Candice Bergen, P.C., M.P.
Portage-Lisgar
House of Commons
Ottawa, Ontario K1A 0A6

Dear Ms. Bergen:

Thank you for your correspondence of April 13, 2017, concerning the screening of suspected impaired drivers at Canada's borders.

Ensuring the safety and security of Canadians is a top priority for the Government of Canada and the Canada Border Services Agency (CBSA). The CBSA plays an important role in the law enforcement community and is committed to ensuring that Canadians are protected through the responsible enforcement of our laws.

There has not been any recent policy change related to impaired driving. The CBSA's mandate is to enforce federal regulations only, in this case the *Criminal Code*. In 1998 Bill C-18, An Act to Amend the *Customs Act* and *Criminal Code*, received royal assent. This provided CBSA border services officers (BSOs) with the authority to detain and/or arrest individuals for *Criminal Code* infractions, including those related to impaired driving.

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Canada

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In situations where the ASD test results in a "warn" reading, the driver can only be committing an offence under provincial legislation and not the *Criminal Code*. The enforcement of provincial legislation falls outside of the mandate of the CBSA and BSOs have no authority to detain the driver. "Warn" results cannot be shared with the police of jurisdiction.

If the ASD registers a "warn", the BSO can request that the traveller voluntarily park his/her vehicle and find other transportation or allow the traveller to proceed. The BSO will make detailed notes on the ASD reading and complete an incident report on whether the person elected to seek other transportation.

In this context, the CBSA cannot disclose the person's information to the Royal Canadian Mounted Police, as per section 107 of the *Customs Act*.

Thank you again for writing.

Yours sincerely,



The Honourable Ralph Goodale, P.C., M.P.